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SILVER STATE HEALTH INSURANCE EXCHANGE
BOARD MEETING
THURSDAY, AUGUST 29, 2024

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T. DAVIS: Good morning, everyone. Still giving just one more minute. It is 9:00. Uh, and Madam Chair, if you don't mind, Vice Chair, if you don't mind, we'll just give another minute for a few of our board members to see who else may join us.

CLARK: Is that -- uh, sorry, I was muted. That sounds good. Thanks, Tiffany.

T. DAVIS: Valerie, currently we do have, uh, five of our voting members who have joined us, uh, so we do have a quorum to be able to start the meeting if you would like.

CLARK: Muted. I'm muted. I'm sorry again. Um, let's call the meeting to order. Thank you. Um, and, uh, let's do -- like to welcome you all to this meeting. And Tiffany, could you please do the roll call?

T. DAVIS: Yes, I'd be happy to do that. Um, Ms. Valerie Clark?

CLARK: Present.

T. DAVIS: Ms. Lavonne Lewis?

CLARK: I thought I saw her on.

T. DAVIS: I see her there. Ms. Lewis, are you able to --

CLARK: She's muted.

1 T. DAVIS: I see her there. I'll go ahead and mark her as, uh,
2 present. Um, Dr. Sarah Friedman?
3 FRIEDMAN: Present.
4 T. DAVIS: Thank you. Uh, Jonathan Johnson?
5 JOHNSON: Present.
6 T. DAVIS: Thank you. Quincy Branch?
7 BRANCH: Present.
8 T. DAVIS: Thank you. Amber Torres? I will mark her as
9 absent. Uh, Sam Kumar? He is absent. Stacie Weeks? Stacie, I thought I saw
10 you on. Oh, I do see you on. So I'll mark you as as present. Uh,
11 Commissioner --
12 WEEKS: I'm sorry. I'm sorry. I was on a quick phone call. I'm
13 on. Thank you.
14 T. DAVIS: Thank you, Stacie. Uh, Commissioner Scott Kipper?
15 KIPPER: Here.
16 T. DAVIS: Thank you. And Jenny Helton? Present as well. We
17 did see you. Thank you so much. And I will go back up to Sam Kumar. So I
18 see he just joined us. Uh, Sam Kumar?
19 KUMAR: Here.
20 T. DAVIS: Thank you. All right. Madam Chair, we do have a
21 quorum.
22 CLARK: All right. Thank you very much, Tiffany. Um, are
23 there -- I don't have any announcements myself. Does -- it's -- part of the
24 agenda is announcements. Are there any announcements that need to be
25 made? I don't have any. None.

1 T. DAVIS: If I may, I just did want to -- I know I mentioned
2 this to you, but if, uh -- for the -- so everyone else knows currently we do
3 have a quorum. I do believe -- and Dr. Sarah Friedman can, um, confirm
4 this or not. I believe you need to drop at 10 o'clock, correct? Is that Doc --
5 correct, Dr. Friedman?

6 FRIEDMAN: Yeah. I can push my other meeting back a little
7 bit, but, um, yeah, ideally we --

8 T. DAVIS: Okay.

9 FRIEDMAN: Yeah.

10 T. DAVIS: Okay.

11 FRIEDMAN: I need to pop off eventually.

12 T. DAVIS: Just to make -- okay. Thank you so much. Just so
13 the board members are, uh -- know that there's two of our voting members
14 that will need to drop around like 10, 10:15. Um, and in that case, um, we
15 would still have a quorum. So we would still be okay as long as no other
16 members drop, if the meeting extends past 10.

17 CLARK: Sounds good. Yeah, we'll do our best to be succinct.
18 Okay. Uh, next on the agenda is public comment. Do we have any public
19 comment?

20 T. DAVIS: Yeah, I'm happy to, um, walk that -- walk through
21 that with you. Uh, for those who have been calling -- or have called into
22 the meeting, um, just to let you know, we've joined us that if you'd like to
23 make a public comment, please raise your electronic hand feature or
24 indicate in the chat box that you would like to make a comment. And then
25 Kaitlyn will let you know when it's, uh, okay to unmute yourself. And we'll

1 go ahead and start with public comments, uh, in our Carson City
2 conference room. Kassie, do we have anyone in the conference -- Carson
3 City conference room, who would like to make a public comment at this
4 time?

5 FUENTES: Kassie Fuentes for the record. There are no public
6 comments here in the Carson City office.

7 T. DAVIS: Okay. Thank you so much. And then going online
8 again, if any of the attendees would like to provide a public comment, you
9 can raise your electronic hand feature on Zoom and Kaitlyn will call your
10 name and you may unmute yourself to make a public comment at that time.
11 Kaitlyn, do you see any hand raised -- hands raised for public comment at
12 this time?

13 BLAGEN: Kaitlyn Blagen for the record. No, you know,
14 Tiffany, I do not see any hands raised or anything in the chat box at this
15 time.

16 T. DAVIS: Okay, thank you so much. And then for our phone
17 lines, if anyone has joined us by calling in, you may go ahead now and
18 unmute yourself in order to make your public comment at this time. So, if
19 anybody has joined us, uh, by calling in, you may unmute yourself at this
20 time. Not hearing anything. I think, uh, there are no public comments at
21 this time.

22 CLARK: Okay, thank you Tiffany. Um, next on the agenda,
23 and this is for possible action, the approval of the minutes of the June
24 18th, 2024 Bo-board meeting. Um, has everyone had a chance to review
25 the minutes? Do we have any comments or would anyone like to make a

1 motion?

2 BRANCH: No comments. So move to accept the minutes as
3 presented. I'm sorry. For the record this is Quincy branch.

4 CLARK: Thank you, Quincy. Do we have a second?

5 KUMAR: I'll second it.

6 CLARK: Is that you Jonathan?

7 KUMAR: Sam Kumar, my apologies.

8 CLARK: Oh, I'm sorry, Sam. I couldn't -- I didn't see anyone
9 light up there. I thought that was Jonathan. Thank you, Sam. So we have a
10 first and a second. Is there any discussion? Okay. Uh, all in favor of
11 accepting the minutes of the June 18th meeting, please say aye or raise
12 your hand.

13 MULTIPLE: Aye.

14 CLARK: Anyone oppose? And does anyone abstain? Okay, it
15 looks like the motion carries for approval of the me -- of the June 18th, uh,
16 meeting minutes. Okay. Um, next on the agenda is the elections of the
17 Chair, and if necessary, the Vice Chair, to fill the vacancy or vacancies from
18 among the membership of the Board; pursuant to NRS 695I.320. Um, I think
19 I'm going to be turning this over to our DAG, Radhika Kunnel, for
20 instructions.

21 KUNNEL: Thank you, Madam Vice Chair. Um, so as to the
22 elections, uh -- well, how we would start is you would open up the
23 elections and make, uh, nominations Madam Vice Chair. If you happen to
24 be one of the nominees, it's up to you to transfer the rest of the process
25 and procedures over to a designated board member or to staff member if

1 you feel, given that Russell is -- as I understand Russell's not in the
2 meeting, who is the ED? Uh, you are very well open -- uh, it's within your
3 authority to be transferring it to Tiffany. And the process would be the, uh,
4 no -- we will take -- the Board will take nominations. Somebody from the
5 Board will nominate one person, a voting member, as a nominee. And you
6 can also accept self-nominations. If there's only one the -- nominee then,
7 uh, well the process can go directly into the voting process. It is a roll call
8 by voting, uh, because it is a public, uh -- oh, hey, Russell. You're here. So,
9 um -- sorry. Then you can ch -- have Russell take over or Tiffany, whoever.
10 Uh, it depends, uh -- you can designate somebody who could be acting in
11 your, uh, place, Ms., uh, Clark, um, Madam Vice Chair. So, the next step
12 would be, uh, as to the voting, it'll be roll call by voting. I am assuming it
13 might be easier and smoother if Tiffany leads that roll call by voting, uh --
14 roll call voting. Um, and then, um, if -- after the Chair is elected, you
15 would take the majority wins. But before, I'll put in another step in
16 between the nomination and the voting process is if you have multiple
17 nominations, the nominee, uh, should get an opportunity to make their
18 pitch and, uh, um, and then question and answer session. And what's also
19 important is that the nominee accepts the nomination. If the nominee does
20 not accept the nomination, we continue on to the next, uh, nominee. Um,
21 do you guys have any questions as to that? It's the same process if -- for
22 both Chair and Vice Chair. Um, we can, uh -- it's up to you ma'am -- Madam
23 Vice Chair if you want to conduct both at the same time or one after the
24 other. Uh, but the process is essentially where we go through a nomination
25 phase, nomination acceptance phase, and then, uh, voting and then

1 announcement of the winner. And once the elected person -- at the --
2 technically at the end of that election process, the new Chair, uh, can take
3 over the meeting, but you could also decide to -- the new chair can also
4 allow the process to continue as agendized as, uh -- for the purposes of
5 this meeting. And then, uh, from the next meeting on the new Chair can act
6 as -- in that role. And, if we have anybody has any questions, I'll be happy
7 to answer.

8 CLARK: Thank you. And I think I -- and I am aware that, um,
9 our -- we do have some board members that do vote and some that do not.
10 And so, you might wanna just explain that maybe too.

11 KUNNEL: Thank you, Madam Chair. Radhika again. Yes. Uh,
12 the non-voting members, uh, um, obviously are non-voting and they do not
13 have a vote. And, uh, I guess, uh, that's where it is. Just a general
14 reminder.

15 CLARK: Okay. Thank you. All right. Thank you very much, Ms.
16 Kunnel. Um, so I guess the next step is for me to open it up for
17 nominations for the Chair. Why don't we do -- why don't we do Chair first
18 and then Vice Chair right after. I think it would be good to get both of
19 those in if we can. But, um, uh, we'll open it up for the Chair first.

20 KUMAR: Madam Chair, Sam Kumar.

21 CLARK: Hi, uh, acknowledge Sam.

22 KUMAR: I move to nominate you, Ms. Valerie Clark, for the
23 role of Chair of SSHIX.

24 CLARK: Okay. Thank you.

25 KUNNEL: Madam Chair, if you accept that this may be a

1 proper point time --

2 CLARK: Oh, okay.

3 KUNNEL: -- for you to define the designation -- designated,
4 uh, election manager, I suppose.

5 CLARK: Yes. Okay, yes. I guess this would be the proper
6 time. So, Tiffany, would you like to take it from there? And I-I would
7 accept the nomination, um, if the Board sees fit. Um, and I would turn this
8 over to Tiffany at this time.

9 T. DAVIS: Thank you so much, Ms. Clark. And Tiffany Davis
10 for the record. And I will definitely lean on Radhika as, uh, she walks me
11 through this as this is my first time going through this process. So, uh, now
12 that a nomination has been made, Radhika, is it -- it, um, proper at this
13 time to ask if there's any other nominations?

14 KUNNEL: That is correct, uh <inaudible>.

15 T. DAVIS: Okay. Is there any other nominations that the
16 Board would like to make? And --

17 KUMAR: Madam Chair, I move that the nominations be
18 closed. This is Sam Kumar again.

19 T. DAVIS: Okay. Hearing -- if there's no other nominations,
20 then happy to take a motion to nominate. Would one of our board
21 members like to make a motion?

22 KUNNEL: I think the motion is on, uh, the table, Ms. -- uh,
23 Mr. Kumar has, uh, made --

24 T. DAVIS: Okay.

25 KUNNEL: -- that motion.

1 T. DAVIS: So we can go ahead and vote now?
2 KUNNEL: We need a second.
3 T. DAVIS: We need a second, okay.
4 JOHNSON: Jonathan Johnson, second.
5 T. DAVIS: Jonathan Johnson, second. Thank you so much,
6 Jonathan. And now I'll do voting by roll call, correct Radhika?
7 KUNNEL: Let's close that motion. Yes, yeah.
8 T. DAVIS: Okay. Motion --
9 KUNNEL: I guess, uh, unless anyone else has any opposition,
10 uh, than the motions -- the motion passes.
11 T. DAVIS: Do I hear any opposition? Don't hear any
12 opposition, so I would -- the motion passes and so I'll go ahead and do a
13 roll call vote. Um, I'll start with Ms. Valerie Clark.
14 CLARK: Um, I -- yes, I accept.
15 T. DAVIS: Uh, Ms. Lavonne Lewis? Ms. Lewis, are you able to
16 -- oh, okay. She just wrote in the chat that I'm sorry, but I am -- I can't
17 unmute my system. I will continue to try to do that. Ms. Lewis, do you
18 mind putting in the chat, do you, um, move to have Ms. Clark as the new
19 Chair? If you could write your answer in the chat, then I'll read that. She
20 moves. Thank you, Ms. Lewis. Uh, Dr. Sarah Friedman?
21 FRIEDMAN: Aye.
22 T. DAVIS: Thank you. Jonathan Johnson?
23 JOHNSON: Yes.
24 T. DAVIS: Thank you. Uh, Quincy Branch?
25 BRANCH: Yes.

1 T. DAVIS: Thank you. Ms. Amber Torres. Just checking to see
2 if she's joined us. I don't believe so, um, so she's absent. And Sam Kumar?
3 KUMAR: Aye.
4 T. DAVIS: Okay. The voting is unanimous.
5 CLARK: Thank you. I'm humbled by your faith in me, and I
6 will do my very best to serve you properly.
7 KUNNEL: Congratulations, Madam Chair. And now is the time
8 to open up for Vice Chair.
9 CLARK: Okay. I'd like to open it up for Vice Chair. Do we
10 have a nomination? I'd like to --
11 KUNNEL: You can nominate too. You
12 CLARK: Can I nominate? I didn't know if I could. I'm sorry.
13 KUNNEL: You can, yeah.
14 CLARK: Um, and I have not even discussed this at all, so I
15 hope he accepts. Uh, but I'd like to nominate Jonathan Johnson.
16 KUMAR: I will second that. Sam Kumar, sorry.
17 JOHNSON: We have not discussed it, um, but I'd be honored.
18 KUNNEL: Perfect. Madam Chair, there's an, um -- T-Tiffany,
19 do you wanna read the chat?
20 T. DAVIS: Yes, I would be happy to. Uh, Valerie Clark.
21 CLARK: Wait, it looks like --
22 KUNNEL: In the chat --
23 CLARK: -- Lavonne nominated Quincy.
24 KUNNEL: Quincy, yes.
25 CLARK: Yeah. So yeah, we gotta -- we have some, uh, chat

1 we need to pay attention to. Okay. Um.

2 BRANCH: But this is -- this is Quincy Branch for the record.
3 Um, and -- and again, I don't know the proper protocol, but I would just
4 like to simply say I would -- I'm honored by the suggestion and the
5 nomination, but I would personally like to defer my nomination in support
6 to Jonathan Johnson.

7 CLARK: Okay. Do we have any other comments or
8 nominations?

9 FRIEDMAN: Uh, this is Sarah Friedman for the record. I have
10 a question about what the role of Vice Chair is, um, because I think since
11 I've been on the Board, I don't know that we've had one, or maybe we had
12 one and I just didn't know it.

13 CLARK: It's me.

14 FRIEDMAN: Oh, okay.

15 CLARK: I've been the Vice Chair for many years, actually.

16 FRIEDMAN: Oh, okay.

17 CLARK: But, uh -- and I don't feel like there was a, um -- um,
18 and then, you know, a lot of responsibility. You know, it didn't seem like it
19 was painfully difficult. Um, but I think it's an important role, uh, as I've
20 come to discover over the years.

21 FRIEDMAN: Is it sort of to stand in the Chair if the Chair
22 can't attend a meeting or? I'm just curious what -- what it is?

23 CLARK: Yeah. Yeah. There was a few times when, um, Dr.
24 Jameson could not make it where I chaired the meeting. That type of thing.
25 Yes.

1 FRIEDMAN: That makes sense. Okay. Thank you for
2 clarifying.

3 CLARK: Do we have any other comment? Do we -- do we
4 have a second then for Jonathan? Was that considered a second by Quincy?
5 Or -- or actually, Sam commented second, right? I'm sorry. I'm -- I'm --
6 okay.

7 KUNNEL: And madam chair, we don't need a second for
8 nominations.

9 CLARK: Okay. Oh, okay.

10 KUNNEL: Uh, if there are no further nominations, I guess
11 somebody -- we need a motion from the board to close the nomination.

12 KUMAR: So moved, Sam Kumar.

13 CLARK: Thank you, Sam. Then I think, uh, we would vote
14 now. So, all in favor of Jonathan Johnson, um, going into the Vice Chair
15 role --

16 T. DAVIS: And Ms. Clark, I -- so sorry to interrupt. I believe I
17 would take a roll call for that vote as well.

18 CLARK: Oh, I'm sorry. Okay.

19 T. DAVIS: My apologies. Tiffany Davis for the record. Uh, so
20 I'll go ahead and do that roll call for the vote. Uh, Valerie Clark?

21 CLARK: Yes.

22 T. DAVIS: Uh, Ms. Lewis, if you wanna type that answer in
23 the -- thank you, Ms. Lewis. I -- she just typed yes in the chat. Uh, Dr.
24 Sarah Friedman?

25 FRIEDMAN: Aye.

1 T. DAVIS: Thank you. Jonathan Johnson?

2 JOHNSON: Yes.

3 T. DAVIS: Quincy Branch?

4 BRANCH: Yes.

5 T. DAVIS: And Sam Kumar?

6 KUMAR: Aye.

7 T. DAVIS: Thank you. That is unanimous.

8 CLARK: Thank you very much. I appreciate it. Um, and I'm
9 excited to serve and I'm excited to serve with Jonathan, so -- and all of
10 you. Next on --

11 KUNNEL: Congratulations.

12 CLARK: Yes, for sure. Um, next on the agenda, if we're ready
13 to move on, would be the discussion and possible action to propose the
14 Exchange Board of Directors consider creating an evaluation process of the
15 Exchange Executive Director per NRS 695I.380 and consideration of current
16 Exchange By-Laws and Board responsibilities. And, uh, just to -- to, you
17 know -- a little bit -- oh, thank you, Sam. Um, just to, uh, clarify, I-I had
18 been pulled into some situations as Vice Chair over the summer that, um,
19 started me questioning what the role of the Board, you know, really truly
20 was and, um, how we get involved in certain situations. And I felt a need
21 for us to call this board meeting to discuss this also. On top of that, I felt
22 we should get a Chair in place before October 15. But also, um, going
23 through NRS statute and what have you, the Board does have a
24 responsibility for governing the Exchange. And we've been a great Board.
25 We've had a great Exchange. No -- no complaints at all. But I do feel it -- it

1 really is important for us to develop a-a process for evaluating the -- the
2 Executive Director on an annual basis. There are a lot of stakeholders.
3 There are a lot of things going on in healthcare. It is a very dynamic, um,
4 industry. It's multifaceted. And I just felt after, um, some things I'd been
5 involved in this summer, that it would be important for us to develop a
6 process for, um -- for evaluation of -- of the Executive Director. And it was
7 brought to my attention back that back in, I believe, 2016, there was a --
8 there had been the requirement for the Board to do that, but then it was
9 taken out, um, of the bylaws back then. And interestingly enough, and I
10 didn't remember this until Tiffany sent it to me, I -- um, I was in the
11 meeting where -- and I was participating in the meeting where we actually
12 took the requirement away. But, um, over the course of time with all of
13 the changes and all of the dynamics going on in this industry, I feel, as a
14 Board, we should put it back into the bylaws and start to follow it more
15 closely, um, and get, you know, clear participation from our stakeholders
16 as to their -- how their objectives are being met, how the consumers of,
17 you know -- are being served, and the, um -- you know, some transparent
18 and objective feedback, um, to help our Executive Director going forward.
19 So that is why I brought this to your attention, um, off cycle, and I would
20 just like to maybe open it up for any discussion. Um, ultimately though, I
21 think I -- my goal would be for us to come away with a clear path of how
22 we do that, um, going forward. Jonathan?

23 JOHNSON: Yeah. Uh, so this -- this kind of prompts another
24 question, uh, maybe I should have asked, uh, a while ago, but is there an
25 evaluation or, um, any sort of review that's done with other Exchange staff

1 members and what does that process look like? I understand that the
2 Executive Director, you know, reports to the Board and -- and things like
3 that, and so, there's a-a little bit of difference there. But is there a formal
4 process in place for the rest of the staff and -- and who conducts those?

5 CLARK: For the rest of the Exchange staff here in -- in
6 Nevada? Uh, that would be a good question for us to ask. Uh, Russell, I
7 don't know if -- if -- if it's okay for us to ask that now. Um, I know --

8 JOHNSON: He -- he has his hand raised.

9 CLARK: Yeah, okay. Yeah?

10 COOK: Thank you, Ms. Clark and Mr. Johnson. And- and con-
11 gratulations to both of you, by the way. Uh, Russell Cook, for the
12 record. Um, Radhika, is it okay if I speak for a few minutes, uh, just
13 strictly, uh, to -- to answer the question that was raised?

14 KUNNEL: Absolutely.

15 COOK: I dunno what the protocol is.

16 KUNNEL: Yeah.

17 COOK: Okay. So, uh, you're -- you're absolutely right, Ms.
18 Clark. Every single member of the Exchange, besides myself, is subject to a
19 periodic evaluation. We do have a mixed, roughly 50/50, of classified
20 employees, uh, versus unclassified employees. I won't go into too much
21 detail, uh, there, um, other than to say that, um, the State, uh, Human
22 Resources Division has very specific requirements in place, uh, regarding
23 evaluations for classified employees. And in fact, uh, they are -- are -- are
24 considered to be on something like a probationary period for the first year
25 of their employment in a new position. And the performance evaluations

1 that are required, I believe at 3, 7, and 11 months respectively, um, uh, are
2 -- are -- are directly related to whether or not, um, they -- they become
3 vested in -- in a given position. The class of, uh -- the process rather for
4 unclassified employees, it's a bit less formal. Um, there's some discretion
5 left up to agencies as to how they want to conduct that. Um, but typically,
6 um, our unclassified employees receive, at least, an annual performance
7 evaluation from their direct supervisor. And so, it's glaringly obvious that -
8 - that myself as Executive Director, um, that I'm the only, you know,
9 employee of the Exchange right now who is not subject to, uh, that type of
10 periodic evaluation. So, um, if -- if I may conclude, uh, my answer just by
11 saying that, uh, I-I'm fully in support of this process. Um, but, uh, per the
12 comments that you, um -- that you alluded to a moment ago that, that
13 were, uh, originally raised by -- by Director Bruce Gilbert back in 2016, um,
14 the -- the requirements, um, for the Exchange, uh, the -- the -- the rules
15 that -- that -- that govern our operations are subject to change on a
16 regular basis, at least annual, in the form of the Notice of, uh, Benefit and
17 payment parameters that's issued by CMS. Um, so I would just ask that the
18 Board please keep that in consideration, um, and -- and that we develop,
19 uh, you know, criteria, um, that, um, are, you know, uh, mindful, I guess,
20 of -- of the fact that -- that -- that the rules can change from year to year.
21 But, um, I consider, personally, uh, the -- this, um -- the interest in the --
22 in this process to be a direct continuation of my interest that I expressed
23 back in the June board meeting, um, of having, uh, greater, uh, oversight,
24 uh, by the Board, greater involvement, uh, of the Board in -- in the day-to-
25 day, uh, uh, operations of the Exchange. And so I would consider, you

1 know, a-an, an oversight process, an annual evaluation process to really
2 just be an extension of -- of an interest that I already had. So I'm very
3 much in favor of this process. Um, but I would ask, in addition to, you
4 know, considering the -- the changing nature of -- of our operational rules,
5 um, that, uh, the Board also consider, um, defining criteria, um, that, uh --
6 that -- that -- that are -- are fairly easily, uh, you know, comprehensible.
7 Um, and that, uh -- that I can keep in mind, uh, throughout each annual
8 cycle, um, to make sure that, uh, you know, I understand what the goals
9 are for the Board, um, and that I'm able to, uh -- to do my best in the
10 meantime to, uh -- to -- to accomplish those goals and, uh -- and -- and --
11 and satisfy those criteria. But a hundred percent in support of this process.

12 CLARK: Thanks, Russell. Yeah, perfect.

13 KUNNEL: Thank you, Russell. Um, just for the -- just to
14 provide some clarification on Russell's, uh, uh, presentation just a second
15 ago, uh, I guess to answer your question, Mr. Johnson, yes. Uh, it, uh -- per
16 State's HR roles, uh, most, if not all, employees, undergo a process of
17 annual evaluation. Um, and everything else, I guess I'll allow, uh -- the
18 Board can take, uh, what's they would -- wish to take from his, uh -- rest of
19 the presentation. Thank you.

20 KUMAR: Madam Chair, Sam Kumar seeking recognition.

21 CLARK: Yes, Sam?

22 KUMAR: Um, I cannot speak for this particular Board and
23 what the bylaws call for and all of that based on Radhika's response. I'm
24 guessing there are no specific requirements in the bylaws, but typical
25 corporate boards always have a committee, which is a subcommittee --

1 which is a subset of the overall Board, which manages executive review
2 and compensation. It definitely includes the head of that organization,
3 which is the CEO. In this case, it'll be Mr. Cook. And could also -- not
4 necessarily but could also include Mr. Cook's Direct Reports. I'm not
5 suggesting it one way or the other, I'm just sharing my knowledge of how,
6 um, typical corporate boards work. So this is definitely within the purview
7 of this Board. And as a matter of fact, I would say it's responsibility, as Mr.
8 Cook pointed out, to do an annual evaluation, um, of the Executive
9 Director.

10 CLARK: Thank you, Sam. Does anyone else have any
11 comments? I will say that, just to make sure I was following any -- you
12 know, proper guidelines, I did reach out to Cameron Vanden -- Cameron
13 Vandenberg, who is the DAG, uh, who oversees HR issues as a DAG, just for
14 some ideas on how we might accomplish this, um, in a proper way. Um, and
15 of course, as a Board, we can choose whatever way we want. Um, but what
16 I had -- what our correspondence with -- my correspondence with her was
17 that there is, um, a-an office within the State of Nevada Government that
18 does these types of things. And I apologize. I left -- I had them -- I had the
19 name of the office written down in my notes, and I accidentally left my
20 notes at home. So, I cannot recall the name of that office off the top of my
21 head, but there is an office that does these, um, types of reviews for us,
22 and it would be very similar to what's called a 360 review. Um, and the --
23 the 360 review, basically in my estimation, would, um, include
24 stakeholders, employees, possibly board members, um, anyone who we as
25 a Board feel we want to hear from in regards to, um, their, uh -- you know,

1 their ability to communicate and weigh in on the operations of the
2 Exchange. So that was my initial thought was, you know, a 360 with all
3 stakeholders participating, uh, I believe would be an, an excellent way to
4 do this in an -- in a fair, unbiased, um, way as a board member. I don't feel
5 like I could personally, um, you know -- like we as a group, I don't think we
6 are close enough to the situation to be able to do this without the help of
7 another party. So with that, I would just open it up to any of your
8 comments or questions or concerns.

9 KUMAR: Madam Chair, Sam Kumar again.

10 CLARK: Yep. Sam?

11 KUMAR: The 360 should be -- I see Jonathan laughing at me.
12 I know I'm monopolizing, sorry. Um, uh, the 360 should be part of the
13 overall input that the Board takes into account in terms of reviewing Mr.
14 Cook's performance or anyone else, um, for who the evaluation is being
15 conducted. Um, but ultimately it falls on the shoulders of the Board --

16 CLARK: Yes.

17 KUMAR: -- to accept --

18 CLARK: Absolutely.

19 KUMAR: -- and to filter that. So just want to clarify that.

20 Thank you. You're on top of it.

21 CLARK: Yes. And I appreciate that clarification, Sam,
22 because that is -- that is exactly what I meant was that we would get that
23 information from this office within the bran -- within the, uh, State of
24 Nevada offices, and then we as a Board could use that to help us do the, uh
25 -- you know, complete the process of evaluation.

1 JOHNSON: Yeah, Jonathan Johnson. Um, I just wanna
2 comment, if we have a resource like that available to us to help support
3 that, um -- that process, um, I think that's -- I think that's something we
4 should definitely take advantage of.

5 CLARK: Okay.

6 JOHNSON: Um, and then I'll -- I'll just comment that I've
7 personally been through, um, some 360 reviews, um, in my -- in my time,
8 uh, working in the private sector, and, uh, the -- the input and the
9 feedback that you get is invaluable, um, for -- uh, for an organization to
10 progress and -- and grow. So it's -- it's been a good experience, um, uh, for
11 me, and, uh, I just wanted to --to share that. And so, if we can somehow
12 figure out how to utilize that in combination with, um, meeting some
13 specific criteria, uh -- again, I get that it's -- it's fluid. Um, one thing that,
14 um -- that I've learned in my -- my time serving on the Board is change is
15 always happening. Um, and -- but if there's a-a way for us to -- to take that
16 360 review and pair it with some of our own criteria, I think, um -- I think
17 we can do something meaningful.

18 CLARK: Thanks, Jonathan. I-I-I completely agree with you.
19 I've participated in them as well, and they can be very, very invaluable,
20 um, to the organization as well as the actual person.

21 JOHNSON: Yep.

22 CLARK: And the stakeholders who get an opportunity to
23 participate as well. It's -- it's, uh, that's probably why they call it a 360.
24 Um, do we have any other comments or questions?

25 T. DAVIS: Ms. Clark? Uh, Tiffany Davis for the record. I just

1 wanted to read, um, Ms. Lewis's comment that she has in the chat. She just
2 says, I support the annual review of the Executive Director. It is certainly
3 in line with the actions that we should take as a Board.

4 CLARK: Okay. Thank you, Ms. Lewis. So, with that --

5 BRANCH: I'm sorry.

6 CLARK: I'm sorry?

7 BRANCH: Madam Chair -- Madam Chair, this is Quincy Branch
8 for the record.

9 CLARK: Oh, hi, Quincy.

10 BRANCH: A question of clarity. So, is the question today,
11 um, for us just to sort of maybe vote in favor of this process in a
12 conceptual form or -- or -- not for us to define what it looks like today,
13 right?

14 CLARK: Well, that's a great question, Quincy. I-I believe we
15 should vote on it because it is -- would have to be a change to the bylaws
16 as I understand it. I think we should vote to do the process. And I was
17 going to also suggest that, um, you know, either myself and Jonathan as
18 the Chair and Vice Chair, we could get together and work closely with the
19 HR DAG to -- with that, uh, process of it. Or if we'd like to form a
20 committee that other people would like to be a part of, I'd be happy to,
21 um, possibly put that together as well. But I think we -- I think we would
22 need at least two to three people to help us, um, work through the process
23 with the HR DAG. So I'm happy to volunteer my time, and I know Jonathan
24 would as the new Vice Chair. Um, just kidding, Jonathan. Um, but we do -- I
25 would -- I would think we need a small committee to at least navigate that

1 process, yes, if you guys are okay with that.

2 JOHNSON: So, to -- to clarify on Quincy's question, we can
3 take a vote to say, yes, we want to do a formal review of the Executive
4 Director of the Exchange, and two, that's gonna include utilizing the -- the
5 state resources through the office that we don't know the name --

6 CLARK: Yes. And I apologize --

7 JOHNSON: -- name of today --

8 CLARK: But I'll get that out to you though. Yes.

9 JOHNSON: But we could -- we could have those two
10 components and then from there at a future date work to formalize what
11 that process -- in terms of --

12 CLARK: Yeah. I mean, if -- if we could form the -- a-a small
13 committee now -- I see Ms. Lewis believe -- she's put in the comments, I
14 think a committee should be formed to develop the process and work with
15 the DAG. And I-I believe that makes the most sense, too. Um, are we okay -
16 - are we okay, um, Ms. Kunnel to, number one, vote on changing the
17 bylaws to, uh, support doing that -- doing the annual review, and then also
18 form the committee while we're here. Is that okay to do?

19 KUNNEL: Yes. Uh, Madam Chair, as I listened to the
20 conversation and discussion, I believe, uh, it may be prudent to break that
21 into two separate motions.

22 CLARK: Yes. Okay.

23 KUNNEL: And if you want to -- if you would like to invite the
24 board members to make a motion as to that effect.

25 CLARK: Yes. Okay.

1 KUNNEL: That would go well within the agenda item.

2 CLARK: Thank you. So, do I have a motion on that first item?

3 KUMAR: Madam Chair, Sam -- sorry, go ahead.

4 JOHNSON: I was gonna say, there's another comment in the
5 chat from Stacie Weeks, uh, that says, let's be mindful of HR rules with this
6 process and ensure confidential information related to a review is carefully
7 reviewed, so.

8 CLARK: Absolutely. And -- and the committee, I think, would,
9 uh, definitely, uh, want to be mindful of that, yes.

10 JOHNSON: And it looks like Commissioner Kipper has a hand
11 raised.

12 CLARK: Yes, Commissioner.

13 KIPPER: Thank you. Uh, yeah, I was gonna say exactly the
14 same thing as -- as Stacie. I'll make sure we -- there is some process that
15 needs to be followed, uh, to ensure that, uh, this -- this review, uh, meets
16 all steps and bounds that, uh, State of Nevada has put together. So I just
17 wanted to make sure and reiterate that, um, so that, uh, uh, we don't run
18 afoul of any, uh, personnel issues.

19 CLARK: Absolutely. Commissioner and also Stacie, thank you.

20 KUMAR: Madam Chair, Sam Kumar for the record. My
21 suggestion would be to form the committee and let the committee work
22 through all of those, um, requirements so that we have checked all the
23 boxes and we are following through with all the procedures in place. To
24 that effect, I move, um, to form a committee that, uh, um, over --
25 committee of the Board, which oversees review and compensation of, uh --

1 um, of Director Russell.

2 CLARK: So, do we want to form the committee as a second
3 item, but first we need to vote that we are willing to change the bylaws to
4 do this. Wouldn't that be the first? Wouldn't -- so the first item is, are we
5 all agreeing as a Board that we want to do an annual review? And then the
6 second item would be -- if everyone agrees that we want to do the review,
7 then the second item would be that we form the committee. So, do we not
8 need a motion first to actually do -- to change the bylaws to do the review
9 every year? Radhika?

10 KUMAR: Uh, I would --

11 KUNNEL: If I may comment to Ms. -- Mr. Kumar's, uh,
12 motion, that is too specific for us to go. If you would like to -- there's the
13 motion on the table right now. Would you like to amend that motion to
14 just make it very generic? Because you said ED Russell. And then as to the
15 comment on, uh, compensation, I don't think the Board has the authority
16 to set comment -- uh, compensation. Um, it is the state's requirement. So,
17 if you would like to make it a little bit more -- more generic, number one,
18 um, to amend it, or would you like to withdraw your motion and then
19 discuss further? That is -- that's up to the Chair. Madam Chair, would you
20 like to address his chair -- or his motion first?

21 CLARK: Well, I-I believe the first item that we need -- the
22 first hurdle is that we agree as a Board that we are going to change the
23 bylaws to include a review of the Executive Director on an annual basis. If
24 we agree on that -- if we vote and agree on that, then I believe the second
25 agenda I -- the second item we would vote on, would be to form the

1 committee. Am -- am I thinking through this properly, um, or am I -- am I
2 not making sense?

3 KUNNEL: To me, uh, I -- it's my, uh -- from what I
4 understand, Mr. Kumar, please, uh, uh, if you would like to elaborate on
5 your intention behind the motion, I believe his -- I -- at least cite it as, uh,
6 his intention is to actually have a committee to even evaluate if this
7 process needs to be established.

8 CLARK: Oh, I see. Okay.

9 KUNNEL: Is that correct, Mr. Kumar? Would you like to
10 clarify your motion so, um, the intent comes through?

11 KUMAR: Happy to clarify. First, uh -- first point, I'm happy
12 to amend the motion to just include the review. Uh, and the second point
13 I'd like to make is let's move forward in a swift manner. Um, and if that
14 means two separate motions, I'm happy with that. What I don't want to see
15 is, um, the committee coming back with whether we should do a 360 or not
16 in October. Let's get going on that looks like --

17 CLARK: No, yeah.

18 KUMAR: -- so there's an agreement.

19 CLARK: Yeah, I agree with that.

20 KUMAR: I would say let's break it up to move things
21 forward. Um, I withdraw my motion, number one, and number two, I move
22 that we, uh, um, amend the bylaws, or add to the bylaws as the case maybe
23 -- I don't know what the bylaws state, I'll leave that to Radhika. Um, but,
24 uh, um, I move that we conduct an annual review, um, of the Executive
25 Director of the Exchange.

1 CLARK: Okay. Thank you, Sam. Do we have a second on that?

2 JOHNSON: Uh, Lavonne Lewis put, uh --

3 CLARK: Oh, I'm sorry. You're right. She did.

4 JOHNSON: -- put something in the chat and has her hand

5 raised. I think that was to point attention to the chat. And she moved that

6 we change the bylaws to accommodate the evaluation of the Executive

7 Director.

8 CLARK: Okay. So, can we consider that a second then, since

9 that, the way she's worded that?

10 KUNNEL: Yes, ma'am.

11 KUMAR: I would say --

12 CLARK: Okay.

13 KUMAR: I would -- yeah, I would say she has worded that

14 much better than me, so let's make that the actual motion, and I'll be the

15 second.

16 CLARK: There we go. Okay. Any discussion on this -- any

17 further discussion? Okay. All in favor, please raise your hand or say aye.

18 MULTIPLE: Aye.

19 CLARK: Any opposed? And are there any abstaining? Okay.

20 Motion carries. Second item, I believe, now was what you brought up, Sam,

21 um, about the committee. Can we --

22 KUMAR: I move that we form a committee to manage the

23 process of reviewing, um -- review an evaluation of the Executive Director.

24 CLARK: Thank you. Do we have a second on that?

25 KUNNEL: Madam Chair, do you need a little bit more

1 clarification on that motion as to the, uh -- the, uh, structure or the
2 formation of the board as to the membership, what, uh -- who would you
3 like to be included and things of that nature? More specific motion.

4 KUMAR: How about a three-member committee?

5 CLARK: A three-member committee composed of the Chair,
6 the Vice Chair, and one other volunteer?

7 KUMAR: Yes, please.

8 CLARK: Okay. Do we have a second?

9 BRANCH: This is Quincy Branch. I'll second that motion by --

10 CLARK: Thank you, Quincy. All in favor, please say aye, or
11 raise your hand.

12 MULTIPLE: Aye.

13 CLARK: Any opposed? And any abstention? All right. Motion
14 carries. Thank you very much. Okay. Um, any interest of time? Is it okay for
15 us to choose the committee members?

16 JOHNSON: Stacie Weeks has her hand raised.

17 WEEKS: My hand -- my little hand blends in with my wall.

18 CLARK: Oh, I'm sorry, Stacie.

19 WEEKS: Yeah.

20 CLARK: Yes, I'm sorry, Stacie.

21 WEEKS: I apologize. I need to make that hand brighter. Um,
22 I just -- you know, I-I think it's important for -- obviously all the -- working
23 in state government is always hard, and I just -- and I appreciate -- I think
24 always we need to evaluate the roles and responsibilities of -- and I
25 appreciate that. I think we wanna make sure that -- in this process, I think

1 it'd be helpful to -- to work with Russell to understand what the role is,
2 what the -- and what the Board wants the role to be and what the goals
3 are. And then think of -- sort of from that approach and then build into
4 that evaluation 'cause often even when I get evaluated or anything
5 happens, I- I just appreciate when someone really clarifies my role. And so,
6 I think that's an important piece of the conversation. So, whoever sits on
7 that subcommittee, working with Russell to understand what the current
8 role is and how he sees it and views it, and then -- and -- and see if that's
9 what the Board agrees with as well. And then kind of build out, you know --
10 that's how we should build it out regardless of who's in the role. It's
11 always about what's the role and what the Board wants to see in that role.
12 So, I think -- I just encourage to start with that and then move forward.

13 CLARK: Absolutely. Thank you, Stacie. Very, very good
14 words. Agreed. Okay. Um, does any -- does anyone want to volunteer for
15 the committee now or? I-I know I will volunteer.

16 JOHNSON: So one of the, um -- and I think it was Radhika
17 posted -- posted this, can the -- the third member be, uh, of the
18 committee, can it be a non-voting member? Like, we didn't clarify some of
19 that before taking that vote. And I don't know if we need to go back and
20 reassess that.

21 CLARK: That is a great question. I-I assumed it was voting
22 members, but I am open to anything, um, that the Board collectively would
23 like to do. But since we are the -- since we, the voting members, are pretty
24 much the ones that are accountable, I assumed it would be three of the
25 voting members.

1 KUMAR: That is correct, as far as the intention of my motion
2 goes. Again, this is Sam Kumar.

3 CLARK: Does anyone have any questions or concerns about
4 that? Jonathan?

5 JOHNSON: I do. Yeah. I-I just, you know, for -- I-I don't know
6 everybody's background on the Board. Um, but I think most of us are not in
7 state government, um, and don't have that -- that history or experience.
8 Uh, kind of to Stacie's point, um, not understanding that process, knowing
9 that we can rely on, um, you know, the -- the HR and DAG and, um, some of
10 the state resources to help support us, I'm okay with that. But if it would
11 be helpful to have somebody that has maybe a little bit more background
12 in that, even if they're a non-voting member, um, I guess that's a-a
13 question or a comment. I don't know, uh, you know, how -- how to exactly
14 phrase that, but, um, you know, just making sure that we go about this, the
15 -- the right way.

16 CLARK: Right, absolutely. I -- and I'm reading in the
17 comments, um, Ms. Lewis is volunteering to serve on the committee, and
18 she has 40 years of HR experience.

19 JOHNSON: Love it.

20 CLARK: Does that sound good? I appreciate that, Ms. Lewis.
21 Thank you. Um, so a committee of Jonathan, Valerie, and Lavonne Lewis.
22 Would that work for the board?

23 KUMAR: Yes.

24 CLARK: Okay. Is that something we have to vote on or are
25 we okay just forming the committee this way?

1 KUNNEL: Um, I believe you don't have to vote on it because
2 the motion was to change the bylaws to begin with. So maybe when you
3 come back with a clarification on what those bylaws would be, um, you can
4 at which point, um, seek a motion to vote on that.

5 CLARK: Okay. All right. Um --

6 KIPPER: Madam Chair?

7 CLARK: Yes, uh, Scott?

8 KIPPER: As a state employee, uh, I would offer up, you
9 know, my services and/or, uh, any resources that the Division has to assist
10 this committee, uh, in any way they, uh, uh, deem, uh, needed or
11 necessary. But we'd be happy to help.

12 CLARK: Thank you, Commissioner. I do appreciate that.

13 KUNNEL: With that comment, Madam Chair, I believe it
14 might be -- just for the sake of providing clarity and, uh, specificity, uh, it
15 might be helpful to, uh -- for the committee to choose a Chair, and the
16 Chair will have the flexibility to add, take, and then seek resources --
17 appropriate resources, or include other members that go beyond, um, uh,
18 the three that have been already voted for. Um, so it's make that maybe
19 put into -- set an stablish -- establish a process and procedure. So, uh, that
20 helps in amending your bylaws too, as, uh, time goes -- passes.

21 CLARK: Okay. So do that right now, you're saying?

22 KUNNEL: If you would like to establish that as a process in
23 the, uh -- as a step in the process of creating a committee and seek a
24 motion to that effect, yes.

25 CLARK: Okay. Okay. Do we want to make a motion as to who

1 Chairs this committee?

2 KUNNEL: Or that the Chair -- the committee will vote for or
3 choose a Chair or just establish the process in the sense that this
4 committee -- once the committee is formed, the committee will choose a
5 Chair, vote for a Chair, elect a Chair, what have you. And the Chair will
6 have the flexibility to, um, include or create or dis -- determine the
7 composition and the strategy. And, uh, if they -- the Chair decide --
8 decides to bring in more people or like they expand their resources, um,
9 that would be helpful.

10 CLARK: Okay.

11 KUNNEL: That is, if you wish to. I don't believe -- I guess it's
12 going beyond the agenda -- agendized item to some extent as we, uh,
13 discuss further. But, uh, it's still within the process if you wish to -- if it
14 falls within your, uh, within your authority if you wish to --

15 CLARK: Okay.

16 KUNNEL: -- specify and establish rules and, uh, or duties of
17 other members that would go into the committee --

18 CLARK: Okay.

19 KUNNEL: -- that are part of the committee.

20 CLARK: Okay. And then Ms. Lewis put in the comments, I
21 think the Vice Chair of the Board should be the Chair of this committee and
22 will also fly to Carson City to meet with the committee. And then -- so are
23 you -- okay, I think -- and Sam Kumar agrees with that, it looks like. Um, I
24 would agree with that as well. Um, do we want to make a formal motion on
25 that now so that Jonathan's clear on his role in that regard?

1 KUMAR: Madam Chair, Sam Kumar. So moved.

2 CLARK: Do we have a second?

3 BRANCH: This is Quincy branch. I'll second.

4 CLARK: Thank you. Oh, and also Ms. Lewis seconded. Thank
5 you, Ms. Lewis. Any discussion -- any further discussion on that? All in
6 favor, please say aye or raise your hand.

7 MULTIPLE: Aye.

8 CLARK: Anyone opposed? And are there any abstentions?
9 Okay. Motion carries. Excellent. Getting a lot of work done. Thank you,
10 everyone. Okay. Um, and Jonathan, we can -- um, we'll just expect that we
11 will report back as far as we can go, um, as much as we get done, we would
12 probably report back in the next Board meeting how that's going.

13 JOHNSON: Perfect.

14 CLARK: Okay. Um, the next agenda item, if there's no other
15 discussion in this regard, um, is going to be topics, dates, times, and
16 agenda items for future meetings. Does anyone have any items for future
17 meetings? Okay.

18 KUMAR: Madam Chair, Sam Kumar again.

19 CLARK: Yes, Sam?

20 KUMAR: I think by the end of the evening, morning, I
21 suppose in Reno, you'll all be tired of hearing my voice, but, uh, my
22 apologies in advance. Um, yes, I would like to have a discussion in the next
23 meeting on the various committees that the Board should form, um, for
24 proper oversight and support of the Exchange.

25 CLARK: Okay. Thank you, Sam. I-I would agree with that, I

1 think --

2 KUMAR: And the sec -- sorry.

3 CLARK: Go ahead.

4 KUMAR: My apologies. And the second item I would like to,
5 uh, add is, um, in response to Dr. -- um, Mr. Cook's email early this
6 morning or late last night, I can't remember. But, uh, um, thank you for
7 that, um -- the RFP related email. We'd like to have an update on the RFP
8 process.

9 CLARK: Yes, I would agree with that as well. I -- we -- I
10 believe we all got an email on the RFP process. I believe we should add this
11 to an agenda to -- uh, to the agenda of a Board meeting. I will be honest
12 with you that, um, email left me with more questions than I had before.
13 And I know the RFP is going out before the next Board meeting, and I
14 believe there -- there are two ways we can go. If anyone else has any
15 questions, they can take them up directly with Russell, um, for
16 clarification. If we -- if anyone has questions that they feel should be
17 discussed in a public board meeting, then we would need to schedule
18 another board meeting to discuss those if we wanna discuss them before
19 the RFP goes out, um, or we can see if there's a possibility of pushing the
20 RFP back until we can discuss any concerns we have. Um, and I'm open to
21 any comments about that. I personally have a lot of questions. Um, and I'm
22 -- probably because I still suffer from PTSD over the last time we made --
23 we dis -- you know, we evaluated platforms for the Exchange. So I would --
24 I would open it up to discussion as to whether we want to agendize this in
25 October after the RFP goes out, or if we want to just take up our questions

1 privately with Russell, or if we want to push back the RFP. Yes, Jonathan?

2 JOHNSON: So if the RFP proceeds on schedule as is, and we
3 discuss, um, additional questions after the RFP is released, can there be
4 supplemental questions if they're not addressed in that initial RFP? What
5 does that do from a timeline standpoint, um, to that? And if it's that
6 critical, um, then I would recommend that we call a -- a board meeting
7 prior to October to -- to address that RFP specifically. It could be limited in
8 scope.

9 CLARK: Stacie Weeks has a question for Russell. When is the
10 RFP release date planned for?

11 COOK: Thank you, Ms. Weeks. Russell Cook for the record.
12 Uh, we are slating, uh, late September, uh, most likely the last week of
13 September for the release of the RFP. Uh, initially, as I had announced
14 back in June, we were planning on a late August release date, but there
15 were a couple of, uh, issues, which I mentioned in the email, um, that were
16 brought up in recent weeks, uh, which, uh, prompted us to the delay -- to
17 delay the, uh, the release of the RFP so that those issues could be
18 adequately addressed. And I-I'd be happy to go into those, um, uh, if -- uh,
19 if we feel that it would be appropriate to do so. Um, the RFP is not yet
20 public, uh, but these issues will be in the RFP so that they'll be public, uh,
21 soon enough. I-I just, uh, wanted to get the Bo-Board's opinion on -- on
22 whether or not, uh, we wanted to discuss those, uh, today or not. But
23 again, ha-ha-happy to, uh -- to describe those, but, uh, late -- late
24 September. Uh, did wanna mention also that that timeline, um, was
25 chosen, uh, because, uh, the -- the biggest risk, uh, that -- that -- that we

1 at the Exchange see with, uh -- with this procurement process is the
2 possibility of a vendor change from GetInsured to some other vendor
3 besides GetInsured that would not only entail a data migration from the
4 GetInsured platform, all of our application and enrollment data to this new
5 platform in order to facilitate auto, uh -- auto renewals next fall. We
6 would also need to onboard all of our existing issuers, um, and -- and
7 potentially also the new issuers who would be offering, uh, plans under the
8 market stabilization program for plan year 2026, uh, next year as well. So
9 that --

10 KUNNEL: Mr. Cook, I will have to interrupt you at this point.
11 I was hoping that when I turned my, uh, camera on, you would get a cue,
12 but --

13 CLARK: Thank you.

14 KUNNEL: Um, this is going beyond the scope of, uh, the
15 agendized item. I guess the question was, uh, when the RFP release date is
16 planned, I guess, uh, that would suffice and anything beyond that, I guess
17 it goes beyond this -- it goes beyond the scope of the discussion item
18 that's agendized. Thank you. I'm sorry for that.

19 CLARK: So -- yeah, so this is why I believe we should
20 probably address this sooner versus later. If -- you know, I'm open to any
21 suggestions from anyone else on the Board. But in my opinion, either we
22 should do another -- we should do possibly a closed session if there are
23 confidential things that should not, uh -- that should be done in a closed
24 session. That I would leave up to Radhika, if that's appropriate. Otherwise,
25 we should meet publicly before the RFP goes out to address the questions

1 that the Board has. Or -- and, you know, we could push the RFP out, but I
2 understand there are concerns from a timeline standpoint that -- that that
3 could potentially be an issue. So, um, I would take a motion or further
4 discussion on any of that.

5 KUNNEL: I guess the -- again, Madam Chair, would you like
6 to clarify if you are seeking a motion to have an earlier meeting?

7 CLARK: Yes.

8 KUNNEL: Another meeting at a sooner date than, uh --

9 CLARK: That is -- I would you like to clarify --

10 KUNNEL: Tiffany, do you wanna comment on what's the next
11 meeting and maybe just set a timeline for the next meeting?

12 T. DAVIS: Yeah, Tiffany --

13 JOHNSON: Can that --

14 T. DAVIS: Tiffany --

15 JOHNSON: Can -- can that meeting -- sorry.

16 T. DAVIS: Sorry, just real -- just, uh --

17 CLARK: Tiffany, go ahead.

18 T. DAVIS: So far, the next meeting is set for October 15,
19 2024 at 1:30 p.m., just for the Board's knowledge. Um, of course that is
20 subject to change per whatever you feel needs to happen.

21 CLARK: Jonathan.

22 JOHNSON: So my, my question is, uh -- and I think Valerie
23 hit on this a little bit, is it appropriate to have a closed session meeting to
24 discuss the RFP that's not yet public?

25 WEEKS: Yeah, I would push for that just because, I mean,

1 coming from my own RFP experience right now, I just think these
2 conversations are tricky publicly and it can put the team and Russell's team
3 and this could be a problem for the procurement.

4 CLARK: Sure.

5 WEEKS: So I would just appreciate knowing what is the
6 process for closed meeting? Is that permitted? I know with PEBP Board, we
7 have that. Um, and then I just wanna be mindful of Russell's team and the
8 timeframe they're trying to get the procurement out, recognizing October
9 is -- and everything is coming together probably pretty quickly for them. So
10 just wanna be mindful of their timeframe, so.

11 CLARK: Absolutely. We don't want to -- we don't wanna
12 interfere with the work of the team and we don't want them to get off
13 their timeline, but I do believe that questions need to be answered and --
14 and probably closed session would be appropriate as long as we, you know,
15 follow the protocol properly. So, I would take a motion on that, if that is
16 appropriate, Ms. Kunnel?

17 KUNNEL: Um, I guess the motion would be to actually have
18 another meeting.

19 CLARK: A closed session.

20 KUNNEL: And that, uh -- if you -- the meeting would be
21 public. However, the discussion can be closed. And that's a motion that
22 you would make at that point. And then, during the meeting, you would
23 make a motion to have a closed session and go into a closed session for the
24 discussion per se. But the meeting would be an agendized meeting, would
25 be -- the topic to be discussed would be agendized and would be -- that

1 would be a publicly noticed meeting that follows the OMLs.

2 CLARK: Okay. Thank you. So that I would take a motion for.

3 JOHNSON: Jonathan Johnson, motion to have a Board
4 meeting. I don't have a date in mind so that that part can be discussed, but
5 motion to have a Board meeting, um, in the next -- I'll say in the next two
6 weeks, um, with an agenda item to discuss the RFP, um, questions and for
7 that discussion to be taken place in a closed session.

8 CLARK: Thank you, Jonathan. Do we have a second?

9 KUMAR: Sam Kumar, second.

10 CLARK: Thank you, Sam. Is there any further discussion?
11 Okay. All in favor? I'm sorry?

12 JOHNSON: I was just gonna say possible dates and times for
13 that.

14 CLARK: Yeah, I think Tiffany, maybe you could structure that
15 for us.

16 KUNNEL: Madam Chair, the -- made -- there is a motion on
17 the table.

18 CLARK: Yes. All in, uh -- there -- is there any further
19 discussion? If there is none, please -- all in favor, please say aye or raise
20 your hand.

21 MULTIPLE: Aye.

22 CLARK: Is there anyone opposed or any abstention? Okay.
23 Motion carries. Thank you very much. I believe we also need to vote on the
24 other, um, agenda item of the various committees that Mr. Kumar would
25 like to discuss in the next Board meeting. Is that something we would vote

1 on as well? Todd, do you have your hand up? I -- it looks like Todd -- Todd
2 Rich has his -- oh, maybe not. That's my -- that's mine. Sorry. Okay. Um, do
3 we need to vote on future on the other topics that Mr. Kumar brought up
4 or are we okay just to add them?

5 KUNNEL: I believe you can add them.

6 CLARK: Okay. Well --

7 KUNNEL: But they are just topics to be discussed that goes
8 into the agenda. I guess this is for Tiffany to keep track of.

9 CLARK: Thank you very much. Okay. Um, I believe that
10 concludes any other agenda items, unless anyone else has any proposed
11 agenda items for future board meetings?

12 KUMAR: No. Just to clarify, this is Sam Kumar again, um, the
13 agenda item for the committees, that's for October regular meeting,
14 correct?

15 CLARK: I-I would believe so, yes.

16 KUMAR: Perfect.

17 CLARK: Thank you. Okay. All right. The next uh, agenda item
18 item would be, uh, public comment. Is there any public comment? Um,
19 okay, I see Russell put a comment. Is that considered for public comment,
20 Russell, or what are we --

21 COOK: I-I'm sorry. I was, uh -- Russell Cook for the record. I
22 was trying to get that in, uh, a few moments ago and -- and, uh -- and --
23 and -- and missed the cutoff there. I-I didn't know if that would be
24 appropriate to raise the question, uh, uh, as you discussed the previous
25 agenda item, um, just wanted to mention that it would be helpful if we

1 could get the questions regarding the RFP, um, at least a couple days prior
2 to the meeting to make sure that we're able to answer them at the
3 appropriate level of detail. Walk on questions are welcome of course, but,
4 uh, you know, the more preparation we can put into that, uh, the -- the --
5 the better we can answer the questions for sure.

6 CLARK: Sure, sure. Thank you. Okay. Okay, uh, going back to
7 --

8 T. DAVIS: Chair? Tiffany Davis. Are we at the public
9 comment?

10 CLARK: Yes, we are in public comment now.

11 T. DAVIS: Okay. I'm happy to walk and help facilitate with
12 that. Um, since there's spec -- specific language that we need to be using,
13 um, per an AB 2219 that was passed, um, last legislative session. So, uh,
14 for this or -- for all who have called into the meeting, we'll let you know
15 when you may unmute yourself for public comment. But I'd like to, uh,
16 address now our Carson City conference room. Kassie, do we have anybody
17 in our physical location that in the Carson City conference room that would
18 like to make public comment?

19 FUENTES: This is Kassie Fuentes for the record. There are no
20 public comments here in the Carson City office. Thank you.

21 T. DAVIS: Thank you, Kassie, for confirming that. And then
22 online, if we have any attendees that would like to make public comment,
23 you may now raise your electronic hand feature on Zoom, and Kaitlyn will
24 call your name, and you may unmute yourself and make public comments.
25 Kaitlyn, do you see anybody either in the chat or raising their electronic

1 hand that would like to make public comment at this time?

2 BLAGEN: Kaitlyn Blagen for the record. No, I do not see
3 anybody in the chat or there are any hands raised at this time.

4 CLARK: Thank you for confirming. And then if you're on the
5 phone lines, if you've called in, anyone joining us, may go ahead and
6 unmute yourself at this time and provide your public comment. Not hearing
7 any, uh, Madam Chair, I believe we have no public comments at this time.

8 CLARK: All right. Thank you very much. Um, do I have a
9 motion to adjourn the meeting?

10 KUMAR: Madam Chair, Sam -- Sam Kumar. So moved.

11 CLARK: Thank you, Sam.

12 JOHNSON: Jonathan Johnson, second.

13 CLARK: Thank you, Jonathan. All in favor, say aye.

14 MULTIPLE: Aye.

15 CLARK: Thank you very much for your participation today,
16 everyone, and I hope you have a great day.

17 UNIDENTIFIED: Thanks everyone.

18 UNIDENTIFIED: Thank you, guys. Be well.

19 CLARK: Thank you. Take care.

20 JOHNSON: Thanks everyone.

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