



## Health Insurance Sealed Bid Opening Processes and COVID-19

School districts who have upcoming group health insurance coverage plan renewals have raised questions regarding how to best comply with deadlines and other requirements for opening sealed bids under [Minnesota's Health Insurance Transparency Act](#) and current COVID-19 health and safety guidance. In light of these dynamics, here are a couple of possible approaches for school districts to consider in conjunction with their professional insurance and legal advisors:

### **1. Adopt a Remote/"Online" Bid Opening Process**

If a school district and the selected representative(s) of the exclusive representative of the largest group of school employees will agree to it, the school district may want to use a remote/"online" platform (e.g., using Teams, Zoom, Webex, or any number of other remote/"online" meeting services) to facilitate the sealed bid opening process. Like an "in person" sealed bid opening process, a remote/"online" process must also conform with [Minnesota's Health Insurance Transparency Act](#) and other relevant laws (e.g., open meeting, data practices, etc.). Here are a few suggestions to support a transparent sealed bid opening process using a remote/"online" platform:

- Assure that all of the respective representatives fully understand and agree to a remote/"online" process;
- Confirm the technology used to facilitate the process is accessible to and works for all representatives and which may vary in reliability;
- Designate a school representative to identify and record (telephonically and/or through video connectivity) all representatives who attend the sealed bid opening meeting;
- Have a school representative identify and record all of the insurers/providers who responded to the bid request using a bid log-in sheet/form;
- Share only information that is needed to confirm bid receipts during the remote/"online" initial bid opening (assuming "best and final" resubmissions will occur within 2 weeks thereafter)
- Conduct any "best and final" resubmissions using the same remote/"online" final bid opening process (recognizing that final proposals after opening become public data)

### **2. Carefully Open the Sealed Bids "In-Person"**

If adopting a remote/"online" bid opening process is not viable, a meeting "in person" may essentially be the only way for a school district, its representative(s), and a union representative(s) to address the sealed bid opening requirement under Minnesota's Health Insurance Transparency Act. If that's the case, such a meeting and those representatives should follow the most current COVID-19 health and safety guidance with respect to social distancing, personal hygiene, touching surfaces/bid packages, time spent together, and any other protection measures.

If school districts have questions regarding this process or need assistance with selecting remote/"online" platforms, please don't hesitate to contact MSBA. Also, for more general information about Minnesota's Health Insurance Transparency Act and the typical group health insurance coverage bid opening process, we have attached [MSBA's FAQ for the HITA Sealed Bid Process](#).