



## *RESOLUTION*

### **EXECUTIVE BOARD OF THE DISTRICT OF COLUMBIA HEALTH BENEFIT EXCHANGE AUTHORITY**

**To establish requirements for employees of health insurance carriers serving as Certified Application Counselors (CACs) on DC Health Link.**

**WHEREAS**, the Health Benefit Exchange Authority Establishment Act of 2011, effective March 4, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.01 *et seq.*) (“Act”) created the District of Columbia Health Benefit Exchange Authority (“Authority”), an independent authority of the Government of the District of Columbia, and its governing Executive Board;

**WHEREAS**, § 1311 of the Affordable Care Act of 2010 (P.L. 111-148 & P.L. 111-152) (“ACA”) provides for the introduction of consumer choices and insurance competition through health benefit exchanges in each state;

**WHEREAS**, the Centers on Medicare and Medicaid Services enacted regulations (45 CFR – Part 155.225) requiring exchanges to implement a Certified Application Counselor program in compliance with the requirements of this regulation;

**WHEREAS**, the Consumer Assistance and Outreach Advisory Committee met on June 26 and July 28, 2013 to discuss and develop recommendations regarding the federally-required Certified Application Counselor Program and did not reach consensus on one recommendation regarding requirements for employees of health insurance carriers serving as CACs;

**WHEREAS**, on July 31, 2013 the Executive Board Marketing and Consumer Outreach Working Committee deliberated and voted unanimously on the non-consensus recommendation regarding requirements for employees of health insurance carriers serving as CACs.

**NOW, THEREFORE, BE IT RESOLVED** that the Executive Board hereby approves the consensus recommendation from the Executive Board Marketing and Consumer Outreach Working Committee regarding requirements for employees of health insurance carriers serving as CACs as follows:

- Health Insurance Carrier staff can be CACs with the following requirements:
  - They can only help current clients and those who contact them directly
  - They must let people they are helping know about all plan options for all carriers
  - They must disclose any potential conflicts of interest
  - They must ask if the person they are helping has worked with a broker in the past and if he or she would rather work with that person again to help select a plan
- The policy decision will be revisited in one year

**I HEREBY CERTIFY** that the foregoing Resolution was adopted on this 13<sup>th</sup> day of **August**, 2013, by the Executive Board of the District of Columbia Health Benefit Exchange Authority in an open meeting.

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Khalid Pitts, Secretary/Treasurer  
District of Columbia Health Benefits Exchange Authority

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Date