



RESOLUTION

EXECUTIVE BOARD OF THE DISTRICT OF COLUMBIA HEALTH BENEFIT EXCHANGE AUTHORITY

For technical and clarifying amendments to HBX's enabling legislation.

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.*) ("HBX's enabling legislation") 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, on September 11, 2019, the Executive Board adopted a Resolution to approve the unanimous recommendations of the HBX Ad Hoc Executive Board Committee on Legislation and Standing Advisory Board that included harmonizing the conflict of interest provisions in HBX's enabling legislation effective 2012 with the Comprehensive Code of Conduct of the District of Columbia Establishment and BEGA Amendment Act of 2015;

WHEREAS, the Health Reform Implementation Committee (HRIC), established to provide recommendations on the formation of the District's exchange, stated that HBX should be "exempt from the personnel and procurement laws" of the District; in 2013, 2018, and 2021, the Council clarified that HBX has independent procurement authority, and HBX's independent personnel authority needs a similar clarification;

WHEREAS, Executive Board member expertise in information technology, including artificial intelligence, cybersecurity, and system architecture is critical given the federal requirement for state-based marketplaces to operate an online health insurance marketplace that provides for eligibility and enrollment in private health insurance plans, including with advance premium tax credits; and

NOW, THEREFORE, BE IT RESOLVED that the Executive Board hereby adopts the following recommendations for clarification and other technical amendments to HBX's enabling legislation:

1. Clarify independent personnel authority.
2. Clarify Executive Board Membership to include one board member with expertise in information technology.
3. Harmonize the conflict of interest provisions with the Comprehensive Code of Conduct of the District of Columbia.

4. Make other clarifying and technical amendments.

ADOPTED: September __, 2026 by the Executive Board of the District of Columbia Health Benefit Exchange Authority in an open meeting.

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