

Catherine Bresler

Vice President, Counsel-Government Relations

April 2, 2014

Mary Beth Senkewicz, Esq.
Associate General Counsel and Policy Advisor
DC Health Benefit Exchange Authority
1100 15th NW, 8th Floor
Washington, DC 20005

Re: Proposed Assessment Rule, Subtitle D –Exchange

Dear Ms. Senkewicz:

As a nationally licensed insurer, Trustmark Insurance Company, through our Voluntary Benefits Solutions division, specializes in employee life, disability, critical illness and accident coverage. We appreciate the opportunity to comment in opposition to the DC Health Benefit Exchange (the “Exchange”) proposal to assess insurance premiums based on “all health insurance risks originating in or from the District of Columbia.” The proposal was adopted by the Health Benefit Exchange Authority Executive Board on February 12, 2014 and submitted for approval of the District Council effective March 4, 2014.

Among other products, Trustmark Insurance Company sells supplemental health insurance products. Our supplemental products are not major medical insurance and do not reimburse for medical expenses. These products are Excepted Benefits under HIPAA and are prohibited from being sold on the DC Exchange pursuant to the Patient Protection and Affordable Care Act (the “ACA.”)

We object to the proposal to include supplemental products in the assessment base to fund the Exchange. The ACA does not authorize exchanges to assess premiums ineligible to be written on exchanges. We support the comments of America’s Health Insurance Plans, and of the American Council of Life Insurers in opposition to this proposal.

This approach is beyond the authority of the Exchange and of the ACA, and we believe it inherently unfair to insurers and policyholders who do not benefit from the Exchange to be required to pay for the Exchange.

We request that the Exchange Authority withdraw the proposed rule and replace it with an assessment formula that is consistent with federal law, within the rules that govern the DC Exchange, and fair to those consumers who hold supplemental insurance policies.

Respectfully,



Catherine Bresler