



RESOLUTION

EXECUTIVE BOARD OF THE DISTRICT OF COLUMBIA HEALTH BENEFIT EXCHANGE AUTHORITY

To allow a good faith extension of the period to resolve eligibility factor inconsistencies for eligibility or enrollment in the Individual Exchange marketplace

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, §5 of the Act (D.C. Official Code §31-3171.04(a)(1)) requires the Authority to establish an American Health Benefit Exchange for individuals and families and §7 of the Act (D.C. Official Code §31-3171.06(a) & (b)) authorizes the Executive Board to take necessary lawful action to implement provisions of the Affordable Care Act of 2010 (“ACA”) (P.L. 111-148 & P.L. 111-152);

WHEREAS, 45 C.F.R. §155.315(f)(3) allows Exchanges to extend the 90-day period provided to individuals to resolve inconsistencies regarding eligibility factors between data sources available to the Exchange and the individual’s self-attestation when there has been a good faith effort; and

WHEREAS, on April 17, 2013, the Eligibility, Enrollment, and Churn Working Group deliberated the issue and reached a consensus recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Executive Board hereby approves the following consensus recommendation presented by the Eligibility, Enrollment, and Churn Working Group:

Extension of Inconsistency Period for Good Cause:

Individuals who make a good faith effort shall be provided an additional 30 days, beyond the 90 days mandated in 45 C.F.R. §155.315(f)(2)(ii), to resolve any inconsistencies with Exchange

eligibility verification data sources. Good faith effort shall be defined as an individual requesting the additional 30 days from the Exchange either online, through the call center, in-person at a service center, or by mail.

I HEREBY CERTIFY that the foregoing Resolution was adopted on this **9th** day of **May** , 2013, by the Executive Board of the District of Columbia Health Benefit Exchange Authority in an open meeting.

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

Date