



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

**To adopt a recommendation amending the previously adopted bronze copay (non-HSA compatible) standard qualified health plan for plan year 2020.**

**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**, §1301(a)(1)(C)(ii) of the ACA requires QHP issuers to offer one silver-level and one gold-level plan at a minimum;

**WHEREAS**, D.C. Official Code §31-3171.09(5)(B)(i) requires QHP issuers to offer one at least one bronze plan;

**WHEREAS**, 45 C.F.R. §155.1000(c) allows state exchanges to limit certification to those plans that it finds are in the best interest of qualified individuals and employers and 45 C.F.R. §156.200(d) allows state exchanges to require additional certification requirements beyond the federal minimums;

**WHEREAS**, §5 of the Act (D.C. Official Code §31-3171.04(a)(7)) authorizes the Authority to implement procedures for certification, recertification, and decertification of QHPs;

**WHEREAS**, on March 22, 2013, the Executive Board adopted a Resolution to develop standardized benefit plans (benefits and cost-sharing) at each of the four metal level tiers based on input from consumers, employers, carriers, and based on early purchase preferences;

**WHEREAS**, on November 12, 2014, the Executive Board adopted a Resolution setting standard plans at all four metal level tiers for Plan Year 2016;

**WHEREAS**, on March 9, 2015, the Executive Board adopted consensus recommendations to modify the standard Bronze plan to be consistent with the 2016 Plan Year Actuarial Calculator released by the Center for Consumer Information and Insurance Oversight;

**WHEREAS**, on April 6, 2016, the Executive Board adopted a Resolution modifying the standard plans at all four metal level tiers for Plan Year 2017;

**WHEREAS**, on February 8, 2017, the Executive Board adopted a Resolution modifying the standard plans at all four metal level tiers, plus an HSA-compatible bronze plan for Plan Year 2018;

**WHEREAS**, on March 14, 2018, the Executive Board adopted a Resolution modifying the standard plans at the gold, silver and bronze copay levels for Plan Year 2019;

**WHEREAS**, on February 13, 2019, the Executive Board adopted a Resolution modifying the standard plans at the gold, silver and bronze copay levels for Plan Year 2020;

**WHEREAS**, the final federal actuarial value calculator for Plan Year 2020 was issued April 18, 2019, requiring that the standard plans be run through it for 2020 compliance;

**WHEREAS**, the final federal actuarial value calculator for Plan Year 2020 lowered the maximum out-of-pocket expense (MOOP) from \$8,200 in the draft rule to \$8,150 in the final rule;

**WHEREAS**, the change in the MOOP caused the bronze copay plan previously adopted by the Executive Board to be out of compliance with final federal actuarial value calculator;

**WHEREAS**, the working group met on April 30, 2019 by conference call;

**WHEREAS**, the working group came to consensus on the modifications required to make the bronze copay standard plan compliant with the 2020 final federal actuarial value calculator;

**NOW, THEREFORE, BE IT RESOLVED** that the Executive Board hereby approves the following recommendations from the Standard Plans Advisory Working Group:

The Executive Board amend the bronze copay standard plan for 2020 for DC Health Link as set forth in the Addendum New Recommendation of the Standard Plans Advisory Working Group to the District of Columbia Health Benefit Exchange Authority, dated April 30, 2019.

**I HEREBY CERTIFY** that the foregoing Resolution was adopted on this 8th day of May, 2019, 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 Benefit Exchange Authority

May 8, 2019  
Date