



RESOLUTION

EXECUTIVE BOARD OF THE DISTRICT OF COLUMBIA HEALTH BENEFIT EXCHANGE AUTHORITY

To define an additional “exceptional circumstance” Special Enrollment Period for employees of the District’s Office of the State Superintendent of Education (OSSE) licensed child development centers and homes in the Individual and Family and the SHOP marketplace as a part of HealthCare4ChildCare.

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) & (9)) requires the Authority to establish an American Health Benefit Exchange through which qualified employers can access coverage for qualified employees, including the establishment of enrollment periods, 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. §§ 155.726(c) and 155.420(d) establish a series of circumstances in which QHPs must permit qualified individuals, qualified employees, and their dependents to receive special enrollment periods (SEPs) to enroll in the Individual/Family marketplace or SHOP marketplace outside an Open Enrollment Period;

WHEREAS, 45 C.F.R. §§ 155.420(d)(9) and 155.726(c) permits the Exchange to define “exceptional circumstances” for SEPs;

WHEREAS, pursuant to D.C. Code §1-325.431(c)(1B), the District’s Office of the State Superintendent of Education (OSSE) partnered with the Health Benefit Exchange Authority to implement HealthCare4ChildCare (HC4CC) through DC Health Link;

WHEREAS, HC4CC provides free health insurance or lower premiums for employees of OSSE licensed child development centers and homes through the DC Health Link’s individual and family marketplace or SHOP marketplace;

WHEREAS, on June 9, 2023, the Standing Advisory Board voted unanimously to recommend that the Executive Board create an exceptional circumstance SEP in the individual and SHOP markets for

employees of OSSE licensed child development centers and homes, and their dependents, allowing enrollees to join or make plan changes as a part of HC4CC anytime through the year.

NOW, THEREFORE, BE IT RESOLVED that the Executive Board hereby adopts the following:

Exceptional circumstance SEPs shall be available for employees of the District’s Office of the State Superintendent of Education (OSSE) licensed child development centers and homes, and their dependents, to enroll in or make plan changes as a part of HealthCare4ChildCare in the Individual/Family and SHOP marketplaces.

Effective Date of Coverage

The effective date of coverage for initial enrollments or plan changes as a part of HealthCare4ChildCare under this SEP shall be the first day of the month in which the employee of an OSSE licensed child development center or home selects a plan or first day of the month following plan selection, at the option of the employee. If enrolling in family coverage, dependents will have the same effective date as the enrolling employee.

I HEREBY CERTIFY that the foregoing Resolution was adopted on this ____ day of July, 2023, 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