



# ***RESOLUTION***

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

**To establish a Special Enrollment Period starting December 16, 2017 through January 31, 2018 to effectively extend the upcoming plan year 2018 open enrollment period.**

**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 (“HBX”), an independent authority of the Government of the District of Columbia, and its governing Executive Board;

**WHEREAS**, §8 of the Act (D.C. Official Code §31-3171.07) requires the Authority to create a Standing Advisory Board (SAB), and consult with the SAB on certain matters, including any policy or operational issues within the Executive Board’s discretion;

**WHEREAS**, the SAB is comprised of a variety of stakeholders, including consumers, carriers, brokers, and small businesses;

**WHEREAS**, on April 18, 2017, the Centers for Medicare & Medicaid Services (CMS) promulgated a final rule, “*Patient Protection and Affordable Care Act; Market Stabilization* (Market Stabilization rule);

**WHEREAS**, the SAB met on May 18, 2017 to discuss policy issues that arose as a result of the Market Stabilization rule;

**WHEREAS**, in the Market Stabilization rule, CMS shortened the open enrollment period for plan year 2018 to six weeks, rather than the full three months previously required by federal regulation;

**WHEREAS**, in the Market Stabilization rule, CMS noted that State Based Exchanges may have operational difficulties this year transitioning to this shorter open enrollment period. CMS specifically noted that under “their [SBM] existing regulatory authority, those Exchanges may elect to supplement the open enrollment period with a special enrollment period, as a transitional measure, to account for those operational difficulties;”

**WHEREAS**, SAB members recognized that HBX has significant enrollment activity already within this timeframe -- numerous SHOP renewals occur in November and December 2017, and Congressional Open Enrollment also occurs in this window;

**WHEREAS**, the Contact Center budget planned for a three month open enrollment and was not set to accommodate hiring up and extending operating hours for a six week open enrollment period for the 2018 plan year;

**WHEREAS**, the Navigator and Assister budgets were planned for a three month open enrollment period and was not set to accommodate hiring up and extending operating hours for a six week open enrollment for the 2018 plan year;

**WHEREAS**, SAB members raised concern that there was little time to message this change which could reduce District residents' access to coverage thorough DC Health Link;

**NOW, THEREFORE, BE IT RESOLVED** that the Executive Board hereby adopts the consensus recommendation from the Standing Advisory Board as follows:

Establish a Special Enrollment Period starting December 16, 2017 through January 31, 2018. The regular open enrollment period and the one-time special enrollment period together provide for a three month period that had been planned.

**I HEREBY CERTIFY** that the foregoing Resolution was adopted on this 14th day of June, 2017, 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 Benefits Exchange Authority

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Date