



## Connect for Health Colorado Board Legislative Approach

January 26, 2015

### **Essential Questions:**

How will Connect for Health Colorado engage with issues at the Colorado General Assembly that impact the Marketplace's operations and sustainability?

### **Goals/Objectives of Connect for Health Colorado:**

1. To increase access, affordability and choice for individuals and small employers purchasing health insurance in Colorado.
2. To create a Marketplace to fit the unique needs of Colorado and seek Colorado-specific solutions.
3. To foster and maintain a competitive marketplace for health and dental insurance.
4. To balance the needs of numerous stakeholders.
5. To ensure financial sustainability of Connect for Health Colorado

### **Background:**

There may be times where changes to state policy or legislation may be required to ensure the continued operation of Connect for Health Colorado. In addition, Connect for Health Colorado Board of Directors may be asked to weigh in on a variety of legislation that may affect either the Marketplace, its customers, or the health care industry in Colorado. This policy provides the fundamental principles for the Board of Directors to make decisions on how to advise Connect for Health Colorado's Chief Executive Officer (CEO) or other Board designee to address public policy that impacts the Marketplace's sustainability.

### **Applicable law:**

#### **Colorado:**

SB11-200 10-22-104 The Board does not have the authority to promulgate rules pursuant to the "State Administrative Procedure Act" Article 4 of title 24, C.R.S. The Exchange shall not duplicate or replace the duties of the Commissioner established in section 10-1-108, including rate approval, except as directed by the federal act.

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SB11-200 10-22-107 (5) In any year, the Legislative Health Benefit Exchange Implementation Review Committee may report up to five bills or other measures to the legislative council created in section 2-3-301, C.R.S. These bills are exempt from any applicable bill limit imposed on the individual committee members sponsoring such bills if the bills have been approved by the legislative council under joint rules of the Senate and House of Representatives.

**Federal:** N/A

**Recommendations:**

1. Connect for Health Colorado Board of Directors will not take a position on legislation unless the legislation will have a direct and significant impact on the continued operation of the Exchange.
2. If a piece of legislation is anticipated to have a direct and significant impact on the continued operation of the Exchange, the full Board will discuss whether a position and/or public testimony is warranted. If the full Board is unable to convene in a timely manner, the ~~board~~ Executive Committee will discuss whether ~~or not~~ a position and/or public testimony is warranted.
3. If the Executive Committee is unable to convene in a timely manner, the CEO has the authority to go to either the Policy Committee Chair, who will then help determine whether a position and/or public testimony is warranted.
3. ~~If the board it is determined that it is appropriate to take a position on a piece of legislation, then tThe Board Chair, CEO or other Bboard designee will have the authority to represent the bBoard as required in working with legislators, administration officials, the Governor, as well as, other parties though the legislative process. The Board Chair will update all Board Members on positions made at the Executive Committee in a medium that is appropriate. there will be general discussion and guidance at a board meeting. The Board Chair, CEO or other board designee will have the authority to represent the board as required in working with legislators, administration officials, the Governor, as well as, other parties though the legislative process.~~
4. If a Board Member receives a request from a legislator or committee for general information about health care or the health care industry or is asked for a comment on potential legislation, the Board Member will make it clear that their comments do not represent a position of the ~~COHBE~~ Connect for Health Colorado bBoard of Directors.

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