



## **Connect for Health Colorado Board Legislative Approach**

**Amended June 13,2016**

### **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. Advocate to improve access to coverage in rural areas of Colorado.
2. Maximize the number of consumers and employers who shop and enroll through the health insurance marketplace and apply for available financial assistance.
3. Improve the ability of customers to attain and retain the right coverage for their needs.
4. Ensure that Connect for Health Colorado is a healthy and thriving organization.

### **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 or the 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 will not take a position on legislation unless the legislation will have a direct and significant impact on the continued operation of the Exchange.
  - a. *'Direct and significant' may include: impacts to the structure or finances of the organization, rates or plan benefits in the individual or small group markets or other market dynamics expected to impact enrollment in the Marketplace or the access, affordability, and choice of insurance that the Marketplace's customers may experience.*
2. If a piece of legislation is anticipated to have a direct and significant impact on the continued operation of the Exchange, the Board may discuss whether a position and/or public testimony is warranted. If the Board is unable to convene in a timely manner, the Executive Committee may discuss whether a position and/or public testimony is warranted.
3. If the Board does not take a position on the legislation, the CEO has the authority to communicate the potential impacts of the legislation and staff recommendation to oppose, support, or monitor.
4. If it is determined appropriate for the Board to take a position on a piece of legislation, then 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 through the legislative process. The Board Chair will update all Board Members on positions made at the Executive Committee in a medium that is appropriate. 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 Connect for Health Colorado Board of Directors.

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