

***Policy Committee Minutes***  
***August 26, 2019***  
***1:00 PM – 3:00 PM***

**Board Members Present:** Claire Brockbank, Kate Harris (proxy for Mike Conway), Sharon O’Hara and Mike Stahl

**Staff Present:** Brian Braun, Saphia Elfituri, Ian McMahon, Ilana Rivera, Monica VanBuskirk and Ezra Watland

**I. Welcome and Introduction**

Sharon O’Hara chaired the Policy Committee Meeting and called the meeting to order at 1:00 p.m., welcoming everyone in attendance, both in-person and on the phone. The July Committee Meeting minutes were reviewed and approved.

**II. Updates**

Colorado Department of Health Care Policy and Financing (HCPF)

There are no updates from HCPF.

Division of Insurance (DOI)

The DOI and HCPF are currently completing the statewide stakeholder meetings on HB 1004. The stakeholder meetings are to be completed by the end of August; a third-party vendor will then work with the Executive Steering team to draft a report due by then end of September. Once the report is made public there will be a 2-week opportunity for public comment; after which a recommendation will be presented to the legislators by November 15<sup>th</sup>.

**III. Public Charge**

Allison Neswood, with the Colorado Center on Law & Policy (CCLP), discussed the changes to the public charge rule that became finalized on August 14<sup>th</sup>. The changes include broadening the definition of public charge to include immigrants who use one or more government program. The rule has been delayed from going into effect until October 15<sup>th</sup>. Multiple lawsuits have been filed to stop the changes from going forward.

**IV. Policy Road Map**

Staff began a conversation with the Committee on two Policy Roadmap items that will not require legislation; but may require regulatory change at the state level.

The first is the potential to bring the processing of hardship exemption through the Marketplace. Under the ACA, catastrophic plans are available to individuals under the age of 30 or to any individual of any age with a hardship exemption or affordability exemption. The benefits of bringing the processing of the exemptions inhouse include:

- Making the application process less cumbersome and time consuming.
- Expediting the process for consumers and reduce the amount of information that the customer collects and submits.
- Relevant plan information for affordability exemption could be accessed through the Marketplace, removing that extra step from the customer

Next steps for bringing hardship exemption processing to Connect for Health Colorado include cost estimates and technology requirements, determining the level of effort, and establishing a timeline for implementation.

The second item is to bring the special enrollment period (SEP) verification process to the Marketplace. Currently under DOI regulations carriers are required to create a SEP process. Under this process, the customer must submit verification of their SEP to the carrier. If the carrier denies the SEP verification, the customer may appeal the decision through Connect for Health Colorado if they are an on-exchange enrollee. Bringing the SEP verification process to the Marketplace would streamline the process for the customer.

Next steps would be to determine the level of effort among internal teams and the DOI would need to amend the SEP verification regulation, moving it under the Marketplace's authority.

**V. Public Comment**

None.

Meeting adjourned at 2:32 p.m.

Respectfully submitted,

Sharon O'Hara  
Policy Committee Chair