



100.024 – Conflict of Interest

**Version 2.0
04/30/2019**

AUTHORITY

The Colorado Health Benefit Exchange (COHBE) was established by the State of Colorado under CRS §§10-22-101 *et seq.* (as amended). A Board of Directors provides oversight and ultimate governance for COHBE.

On May 6, 2013, COHBE became also known as Connect for Health Colorado (C4HCO) for business purposes of the healthcare marketplace.

APPROVED

Date _____

Kevin Patterson
Chief Executive Officer
COHBE

REVISION HISTORY

Version	Date	Modified By	Description
1.0	2013	Board of Directors	Governing Principles and Conflicts of Interest
2.0	4/2/2019	Arba Robinson	<p>Update wording for Conflict of Interest more appropriate for all staff and volunteers.</p> <p>Remove Governing Principles as those principles are covered in the Bylaws and Articles of Governance</p>

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1 Purpose

Employees, board members and volunteers should be aware that conflicts of interest can arise through various relationships including, but not limited to, family relationships, economic relationships and personal or intimate relationships. No volunteer, board member or employee of Connect for Health Colorado shall operate or act in any manner that is contrary to the best interests of Connect for Health Colorado.

2 Scope

This policy is applicable employees, board members and volunteers.

3 References

Articles of Governance

Amended Bylaws

Ethics Hotline Policy

Workforce Member Handbook

Whistle Blower Policy

4 Policy

4.1 Conflict of Interest Situations

- A director, employee or volunteer, including a board member, (or a family member of the foregoing) is a party to a contract, or involved in a transaction with Connect for Health Colorado for goods or services.
- A director, employee or volunteer, including a board member, (or a family member of the foregoing) has a material financial interest in a transaction between Connect for Health Colorado and an entity in which the director, employee or volunteer, or a family member has an interest or relationship.
- A director, employee or volunteer, including a board member, (or a family member of the foregoing) is engaged in some capacity or has a material financial interest in a business or enterprise that competes with Connect for Health Colorado.
- A director, employee or volunteer, including a board member has a personal interest that conflicts with the interests of Connect for Health Colorado or arises in situations where a board/staff member has divided loyalties (also known as a "duality of interest").

4.2 Financial Conflicts of Interest or Appearance of Conflict of Interest

A conflict arising out of a personal interest can occur in situations that result in inappropriate financial gain to persons in authority at Connect for Health Colorado and can lead to financial penalties and violations of IRS regulations. Situations or transactions arising out of a conflict of interest also can result in either inappropriate financial gain or the appearance of a lack of integrity in Connect for Health Colorado decision-making process. Other situations may create the appearance of a conflict, or present a duality of interests, with a person who has influence over the activities or finances of Connect for Health Colorado.

Connect for Health Colorado takes a broad view of conflicts and board/staff are urged to think of how a situation/transaction would appear to outside parties when identifying conflicts or possible conflicts of interest.

A person who must consider whether he/she has a conflict includes any person serving as an employee or member of the Board of Directors of Connect for Health Colorado or anyone else who is in a position of influence over Connect for Health Colorado.

4.3 Disclosure Requirements

It is the duty of all board members and staff to be aware of this policy, and to identify conflicts of interest and situations that may result in the appearance of a conflict and to disclose those situations, conflicts or potential conflicts to (i) the employee's supervisor (ii) the executive director, (iii) the Chair of the Board or (iv) other designated person, as appropriate.

Board and staff are urged to disclose conflicts as they arise as well as to disclose those situations that are evolving that may result in a conflict of interest. Advance disclosure must occur so that a determination may be made as to the appropriate plan of action to manage the conflict. Staff should disclose to their supervisor or Human Resource Director and board members should disclose to the Chairperson of the board as soon as the person with the conflict is aware of the conflict, potential conflict or appearance of a conflict exists.

In the event it is not entirely clear that a Conflict of Interest exists, the individual with the potential conflict shall disclose the circumstances to his or her supervisor or the Chair, who shall determine whether there exists a Conflict of Interest that is subject to this policy.

All such circumstances should be disclosed to the board or staff, as appropriate, and a decision made as to what course of action the organization and/or individuals should take so that the best interests of Connect for Health Colorado are not compromised by the personal interests of stakeholders in the organization.

4.4 Reporting Possible Violations

Connect for Health Colorado maintains an "open door" policy, in the Workforce Member Handbook, to communicate possible violations of any Connect for Health Colorado policy. All communications of this nature will be kept in strictest confidence and will be investigated by the board thoroughly and fairly. Please see Connect for Health Colorado Whistleblower Policy and or Ethics Policy for reporting procedure.

5 Policy Maintenance

This policy shall be reviewed annually and updated as required to reflect changes in the Marketplace's business, administrative, or technical environments, or applicable federal/state laws and regulations. The Marketplace CEO is responsible for this policy.

6 Conflict of Interest Disclosure Form

Name: _____ Date: _____

Position (employee/volunteer/trustee): _____

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest between Connect for Health Colorado and your personal interests, financial or otherwise:

_____ I have no conflict of interest to report

_____ I have the following conflict of interest to report (please specify other nonprofit and for-profit boards you (and your spouse) sit on, any for-profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own):

1. _____

2. _____

3. _____

I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have reviewed, and agree to abide by, the Policy of Conflict of Interest of Connect for Health Colorado.

Signature: _____ Date: _____