



MARYLAND HEALTH BENEFIT EXCHANGE

POLICY ON PARTICIPATION IN ADVOCACY LETTERS, JOINT STATEMENTS, AND COMMENTARY

I. INTRODUCTION AND STATEMENT OF PURPOSE

A. The Policy on Participation in Advocacy Letters, Joint Statements, and Commentary is intended to establish a process through which the Maryland Health Benefit Exchange (“the Exchange” or “MHBE”) participates in advocacy letters, joint statements, and commentary on statutory or regulatory action that implicates the purpose or functions of the Exchange under § 31-102 & § 31-108 of the Insurance Article of the Maryland Code.

B. Participation by the Exchange is intended to provide entities undertaking statutory or regulatory action with insight on the ramifications of certain proposed or enacted policies, the MHBE Board of Trustees posture with respect to the proposed or enacted policies, or technical advice as they pertain to the operations of the proposed or enacted policies.

II. METHODS OF EXCHANGE PARTICIPATION

Participation by the Exchange shall occur by the following methods:

- A. Submission of, or becoming a signatory to, an Advocacy Letter
- B. Submission of, or becoming a signatory to, a Joint Statement
- C. Submission of commentary to an entity performing statutory or regulatory action
- D. Other methods of participation

III. PROCESS TO APPROVE EXCHANGE PARTICIPATION

A. For II.A, II.B & II.D, the MHBE Executive Director (the Executive Director), or a Trustee of the MHBE Board shall present the proposed participation action to the Chair of the MHBE Board of Trustees (“the Chair”). The proposed action shall be included on the agenda for deliberation and determination at the next regularly scheduled Board meeting.

B. If the Exchange’s participation is time sensitive the Chair may, at his/her discretion, approve the proposed action, if consistent with the criteria in § IV, below.

C. For II.C, the Executive Director may submit comments on proposed, or enacted, policies after consultation with the Policy Subcommittee. The commentary shall reflect the concern of the Executive Director, and shall be relevant to the purpose, or functions, of the Exchange under § 31-102 & § 31-108 of the Insurance Article of the Maryland Code, unless otherwise approved by the Chair.



IV. CRITERIA FOR EXCHANGE PARTICIPATION

- A. The proposed policy position meets the statutory purposes and functions of the Exchange in accordance with § 31-102 & § 31-108 of the Insurance Article of the Maryland Code.
- B. The proposed policy directly relates to initiatives or strategy areas identified by the MHBE Board.
- C. The proposed policy would significantly impact individuals and employers seeking coverage through the Exchange.
- D. The Exchange's input will add valuable credibility or insight to the issue.

V. AUTHORITY OF THE CHAIR TO DETERMINE EXCHANGE PARTICIPATION

- A. The Chair may direct the Executive Director to engage the Exchange in any method of participation.

V. REVIEW & APPROVAL REQUIREMENT FOR PARTICIPATION

- A. Participation under Paragraph II.A, Paragraph II.B, & Paragraph II.D shall be reviewed by the Exchange Board of Trustees for (1) a seven-day period; or (2) for a period set by the Chair.
- B. The Chair shall approve all participation before it is provided to the receiving entity.
- C. All participation action engaged in without MHBE Board approval shall be reported to the MHBE by the Executive Director at the next regularly scheduled MHBE Board meeting.

