

Maryland Health Benefit Exchange Act of 2011

Nicole Dempsey Stallings, M.P.P.
Sr. Policy Advisor to the Secretary

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SB182/HB166 Overview

- Signed into law April 12, 2011.
- Established as independent unit of State government.
- Specific provisions promote transparency, accountability, and flexibility.
- Establishes core functions and duties required under the Affordable Care Act.
- Identifies key policy issues to be studied and reported to Legislature in December.

Board Structure

- Three ex-officio: Secretary of Health, Insurance Commissioner and Executive Director of the Maryland Health Care Commission
- Three members representing employer and individual consumer interests (Governor appointed)
- Three members with specific knowledge and expertise (Governor appointed)

Conflicts of Interest

- A Board member may not have an affiliation with the following while serving as a member:
 - Carrier
 - Insurance producer
 - Third-party administrator
 - Managed care organization
 - Any other person contracting directly with the Exchange
 - Trade associations of any of the aforementioned entities
 - Any other association of entities in a position to contract directly with the Exchange

Stakeholder Process

- Committee hearings on February 16 & 17
 - No opposition
 - Considerable amendments offered
- 4 Stakeholder meetings to consider amendments
 - Producers and TPAs
 - Carriers
 - Providers
 - Consumer Advocates

Proposed Stakeholder Amendments

- Governance
- Board Composition
- Advisory Committee Organization and Membership
- Expansion/Limits on Mission and Duties of Exchange
- Qualified Health Plan Requirements

Proposed Stakeholder Amendments (cont.)

- Rules Governing Markets: Inside and Outside
- SHOP Exchange and Navigator Program
- Procurement and Personnel Policies
- User Fees and Special Fund
- Mandated Study Language and Recommendations

Exchange Legislation's Guiding Principles

- Exchange should be accountable
- Exchange should be transparent
- Governance should be free of direct conflicts-of-interest
- Development of Exchange should occur one step at a time
- Bill must be consistent with effective implementation of ACA

For More Information

nstallings@dhmh.state.md.us