

A RESOLUTION

**Proposed
Resolution
20-317**

To declare the existence of an emergency, with respect to the need to amend the Health Benefit Exchange Authority Establishment Act of 2011 to clarify the requirements for qualified health plans on the exchange and participation in the exchange marketplace before the federally mandated open enrollment date of October 1, 2013.

*See
Emergency
D.C. Act 20-87
20 DCStat 1446*

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Better Prices, Better Quality, Better Choices for Health Coverage Emergency Declaration Resolution of 2013”.

**Better Prices,
Better
Quality,
Better Choices
for Health
Coverage
Emergency
Declaration
Resolution of
2013**

Sec. 2. (a) Bill 20-0240, the Better Prices, Better Quality, Better Choices for Health Coverage Amendment Act of 2013, was introduced by Chairman Mendelson at the request of the Mayor in April 2013, and referred to the Committee on Health. The bill amends the Health Benefit Exchange Authority Establishment Act of 2011 and sets forth additional detail regarding plans and participation in the exchange marketplace.

(b) Due to various mandatory constraints imposed by the legislative process including the need for a hearing, the committee’s review and markup of the bill, and mayoral and Congressional review of the bill, emergency legislation is necessary before enacting the permanent bill so that the final pieces of the District of Columbia’s Health Benefit Exchange can be timely implemented.

(c) The Affordable Care Act requires all states implementing their own exchanges to have an online portal available for open enrollment by October 1, 2013, with member coverage beginning on January 1, 2014.

(d) Before the date of open enrollment, and as early as August 1, 2013, the Health Benefit Exchange online portal must undergo a series of tests involving multiple governmental agencies and the federal government. All plans, rates, and associated material must be filed by insurance carriers and uploaded to the exchange’s online portal before that time. Additionally, the plans and rates must be reviewed and approved by the Department of Insurance, Securities, and Banking (“DISB”) before the plans and rates can be uploaded to the exchange’s online portal.

(e) The Health Benefit Exchange has set a date of May 31, 2013 for insurance carriers to file their plans and rates with DISB so that they can be timely reviewed, approved, and potentially amended and re-approved, and uploaded before August 1, 2013.

(f) The Better Prices, Better Quality, Better Choices for Health Coverage Emergency Amendment Act of 2013 stipulates the detailed requirements of the qualified health plans that will be offered on the exchange, including benefits pertaining to prescription drugs, mental health and substance abuse, and habilitative services.

(g) The Better Prices, Better Quality, Better Choices for Health Coverage Emergency Amendment Act of 2013 also sets forth provisions for individuals, small businesses, and insurance producers' participation in the exchange marketplace.

(h) Insurance carriers will rely on this legislation to determine their plans and rates.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Better Prices, Better Quality, Better Choices for Health Coverage Emergency Amendment Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.