



# California Health Benefit Exchange

## Board Members

Kimberly Belshé  
Diana S. Dooley  
Paul Fearer  
Susan Kennedy  
Robert Ross, MD

July 26, 2011

The Honorable Bill Monning  
Chair, Assembly Health Committee  
ATTN: Teri Boughton, Assembly Health Committee  
State Capitol, Room 2013  
Sacramento, CA 95814

### Re: Assembly Bill 1083

Dear Assembly Member Monning:

At the July 22 meeting of the California Health Benefit Exchange (Exchange), the Board discussed and took positions on several pieces of pending legislation affecting the Exchange including Assembly Bill (AB) 1083.

By a 3-0 vote, the Board supported the provisions of the bill that conform with the requirements of the Affordable Care Act (ACA). Two of the areas in which AB 1083 does not strictly conform with the ACA are premium rating for tobacco use and wellness incentives. In those areas, the Board directed staff to work with your office to allow flexibility ensuring appropriate consumer protections.

Please note that Diana Dooley, Secretary of the Health and Human Services Agency and Chair of the Exchange Board, abstained from all votes because the Administration has not yet taken positions on pending legislation. Board member Dr. Robert Ross had a previously scheduled engagement and was unable to attend the meeting.

I am available to work with your and your staff. Please feel free to contact me directly at (916) 651-8062.

Sincerely,

A handwritten signature in blue ink that reads "Pat &amp; Powers".

Patricia Powers  
Acting Administrative Officer of the Exchange

cc: Chair and Members, California Health Benefit Exchange Board  
Agnes Lee, Office of Speaker of the Assembly John Pérez  
Anthony Wright, Executive Director, Health Access  
John Arensmeyer, Founder & CEO, Small Business Majority