



# California Health Benefit Exchange

## Board Members

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

July 26, 2011

The Honorable Susan Bonilla  
Member, California State Assembly  
ATTN: Mariana Corona, Legislative Aide  
State Capitol, Room 2188  
Sacramento, CA 95814

## Re: Assembly Bill 1296

Dear Assembly Member Bonilla:

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) 1296.

By a 3-0 vote, the Board took the position that it is premature to specify the details of eligibility, enrollment and retention (EER) policies. The Board appreciates the intent of the bill to create a "no wrong door" approach to EER for state health programs as required by the Affordable Care Act. The Board believes, however, that it is too soon to codify EER requirements as federal guidance has not yet been promulgated. Exchange staff is currently working with state agencies and stakeholders to develop EER options for Board consideration, which will be further informed by forthcoming federal guidance. The Board believes stakeholder engagement is a critical first step in developing EER policies.

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.

Please feel free to contact me at (916) 651-8062 if you have any questions about our position.

Sincerely,

A handwritten signature in blue ink that reads "Pat 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  
Elizabeth A. Landsberg, Western Center on Law & Poverty