

COVERED CALIFORNIA BOARD MINUTES  
Thursday, April 8, 2021  
Covered California  
1601 Exposition Blvd.  
Sacramento, CA 95815

*Please Note: Covered California hosted its April 8<sup>th</sup> board meeting remotely. Per Executive Order N-25-20 and N-35-20, certain provisions of the Government Code pertaining to open meeting requirements were temporarily waived to mitigate the effects of the COVID-19 pandemic. As such, Covered California board members participated remotely by way of teleconference.*

*Additionally, consistent with the Governor's Executive Order N-33-20 regarding the statewide stay-at-home directive to preserve the public health and safety throughout the entire State of California, public participation was limited to remote participation only.*

**Agenda Item I: Call to Order, Roll Call, and Welcome**

The meeting began at 10:03 a.m. with Vice Chair Sandra Hernandez standing in for Chairman Mark Ghaly. Vice Chair Hernandez introduced the newest board member, Jarrett Barrios, who serves as the Senior Vice President of Strategic Community and Programmatic Initiatives for the California Community Foundation. Vice Chair Hernandez then called the meeting to order at 10:04 a.m.

**Board Members Present During Roll Call:**

Jarrett Barrios  
Jerry Fleming  
Art Torres  
Dr. Sandra Hernandez

**Board Members Absent During Roll Call:**

Dr. Mark Ghaly

**Agenda Item II: Closed Session**

A conflict disclosure was performed and there were no conflicts from the board members that needed to be disclosed. The board adjourned for closed session to discuss contracting, personnel, and litigation matters pursuant to Government Code Section 100500(j).

Vice Chair Hernandez called open session to order at 1:34 p.m.

**Agenda Item IV: Acknowledgement of Past Covered California Board Members**

Vice Chair Hernandez took a moment to acknowledge the extraordinary leadership of Covered California's founding board members. They brought this organization to life from an idea on a piece of paper and helped to form an organization that is leading the

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country right now as it relates to the exchange. Vice Chair Hernandez expressed her gratitude for all of their hard work and dedication to the organization.

Peter V. Lee, Executive Director, thanked Vice Chair Hernandez and noted that March's board meeting was Paul Fearer's last meeting. Mr. Fearer served for ten years on Covered California's board, and he was one of the five founding board members. Four of the five founding board members joined this meeting virtually.

Mr. Lee noted that when these board members established Covered California, it was a concept that could have gone in many different directions. The Affordable Care Act (ACA) is not self-executing. It takes policy decisions, action, and leadership. The founding board also established an expansive vision and mission statement for Covered California. Covered California's vision recognizes the organization as part of the fabric of an entire health care system that needs to be improved. The mission of Covered California focuses on quality, disparity, and cost, while keeping consumers as the main focus. Additionally, Covered California is guided by five areas of strategic focus. These areas include affordable plans, needed care, effective outreach and education, positive consumer experience, and organizational excellence.

Mr. Lee stated with the rollout of the American Rescue Plan (ARP) on Monday, this was the perfect time to invite the founding board members back to reflect on the growth of the organization over the years. He then handed it over to the founding board members so that they could each say a few words.

Former Chair, Diana Dooley, thanked Mr. Fearer for all of the work that he has done for Covered California and reflected on both his experience and knowledge that he brought to the board. Ms. Dooley noted that when the Brown administration came into office in January 2011, the ACA was already enacted in California. Fortunately, California didn't have the partisanship fights that affected other parts of the country. This was very helpful with the implementation of the ACA. Ms. Dooley also stated that the board resisted a lot of pressure to centralize everything in California. Instead, the board leveraged the existing local infrastructure throughout California. This included working with the different counties and their eligibility process, the enrollment counselors, the local clinics, the local community non-profit groups, and the private sector local agents and brokers. As a result, this helped increase the credibility of the program. Lastly, the board worked to establish the ethics of transparency and evidence-based decision making. This included welcoming public input by providing information on action items before the board acted on them. Oftentimes, there were decision changes made as a result of the input that was received from committees and in the public meetings. The establishment of this foundation played a vital role in the success that Covered California has seen over the years. Ms. Dooley closed by congratulating and thanking the team at Covered California for all of their success and hard work.

Kim Belshé expressed gratitude for the opportunity to be a part of this board meeting and gathering with her former colleagues. Ms. Belshé also thanked Mr. Fearer for his enduring commitment to Covered California's vision and mission over the years. Furthermore, Ms. Belshé stated that she was thankful for the opportunity to serve as a founding board member at Covered California. She believes that when the story of the ACA is finally written, a central part of that story is going to be directly linked to

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California taking the initiative in 2010. California was the first state to take the necessary steps to establish an exchange. Those early decisions of the founding board members and the legislature were foundational to the ongoing success that Covered California has experienced. Ms. Belshé expressed excitement for the opportunity to expand coverage through the ARP and the leading role that Covered California will play. Finally, Ms. Belshé noted that it has been a long journey, but it has been a privilege to serve at Covered California.

Susan Kennedy expressed her gratitude for being able to be present for this incredible milestone and reflect on how far Covered California has come. Ms. Kennedy noted that when the legislation was passed, there was great concern that Jerry Brown was not going to win the race for governor of California. The concern was that the law could be undone, and they would have to start over. When Covered California was launched, it was just a theory, and they weren't sure how it was going to turn out. With the extraordinary leadership of Diana Dooley, the experience of the founding board members, and the tremendous skill of Mr. Lee, they were able to create an organization that has changed people's lives. Lastly, Ms. Kennedy expressed how proud she is of the work that has been done and the opportunity to serve as a founding board member at Covered California.

Dr. Bob Ross thanked Mr. Lee for his great leadership over the years and expressed gratitude for both Mr. Fearer and Ms. Dooley. Dr. Ross stated that there wasn't a road map back then for what they were creating, but it was Ms. Dooley's tremendous leadership and spirit of inclusion that made a significant impact. That spirit has carried on throughout Covered California. Dr. Ross closed by noting that he didn't see racial equity or health equity mentioned in Covered California's areas of strategic focus. Covered California does stand for both and it should be mentioned.

Mr. Lee noted that reducing health disparities is at the center of their mission statement. This came from both the board and from the spirit of inclusion. There are ongoing discussions with Dr. Alice Chen, Chief Medical Officer, on the vital roles that health disparities and health equity play at Covered California.

Mr. Fearer expressed appreciation for all of the comments from his former colleagues. Mr. Fearer recalled opening remarks at the first Covered California board meeting, where he stated that he was approaching this opportunity with excitement and trepidation. Ms. Kennedy then stated that if they were to succeed, they would lead the nation, and if they failed, they would bring down the other states. Mr. Fearer also noted that the board's tenth anniversary will be in twelve days, and Mr. Lee's tenth anniversary will be in September. Mr. Fearer then reflected on the long, difficult journey that they endured. He showed appreciation for Ms. Dooley and her generosity in lending the board resources and staff in the early months. They started without any resources, and Jerry Brown didn't offer any help due to the debt that the state was facing at the time. Ms. Belshé soon began their mantra of "failure is not an option." This phrase was repeated in every meeting over the years, and within two years, they were able to create an entire system. Mr. Fearer noted that this system wasn't perfect, but their success and achievements stood apart from other states. The board's huge commitment to the overall mission was what motivated them to succeed. Additionally,

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Mr. Fearer stated that they owe their success to Mr. Lee, the exceptional team at Covered California, the committed board, and stakeholders and advocates. Together, they were able to create a path for Covered California. Mr. Fearer closed by stating that his role as a board member at Covered California has been the most fulfilling role that he has ever served in his professional lifetime. As he departs, he is very pleased with the strong board that Covered California currently has. Now, with the ARP, there is a tremendous opportunity to focus on Covered California's mission.

Mr. Lee noted that the foundation of Covered California has been both evidence-based and focused on the spirit of inclusion. Covered California has been guided by public opinions and focus groups. Now is the perfect time to continue to work to meet the needs of Californians. Mr. Lee also expressed gratitude for the opportunity that has been presented by the ARP and for the staff at Covered California.

Mr. Fleming stated that the founding board members should be proud of the organization that they have built and the amount of success that it has had. He noted that for this enterprise to succeed, they had to work very hard to enroll large numbers of people. With an emphasis on marketing, a sustainable risk pool was created, and it allowed Covered California to have a huge impact on how health care is delivered in the state. Mr. Fleming also expressed appreciation for Mr. Fearer and all of his wisdom that he brought to the board. Additionally, Mr. Fleming thanked Ms. Dooley for bringing him on as a member of the board, and he noted that the current board members will do their best to continue to carry out their mission.

Vice Chair Hernandez noted that the current board has an extraordinary legacy to carry on, and she took a moment to thank Ms. Dooley for her leadership across several different organizations. The founding board's efforts made a significant impact on the lives of Californians. Vice Chair Hernandez also noted that Dr. Ross' comments were heard, and they will make sure that racial equity is made more apparent in Covered California's areas of focus.

**Public Comments:** Doreena Wong with Asian Resources, Inc. thanked Ms. Dooley and all of the founding board members for all of their efforts to help shape Covered California. Their steadfast leadership has greatly contributed to the amazing success of Covered California. Also, Ms. Wong noted that the founding board set the tone for collaboration, openness, and inclusion. She also stated that Covered California is the most effective state exchange created under the ACA. Lastly, Ms. Wong expressed excitement for the opportunity to work with the current board to continue to make improvements.

Beth Capell with Health Access California echoed Ms. Wong's comments and noted that before the ACA, California had more uninsured people than the state of Massachusetts' population. California has made significant improvements since then with Covered California acting on behalf of everyone in the individual market. This was a vision that was embodied in the legislation but was brought to life by the founding board members. The actions of the founding board and staff at Covered California have impacted millions of lives in California.

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Kimberly Lewis with the National Health Law Program expressed appreciation for the founding board members and their dedication to making Covered California successful. Ms. Lewis noted that Covered California now serves as a model for other exchanges across the country. She believes that this success is due to the great leadership, commitment, and expertise of all the past and present board members.

Jen Flory with Western Center on Law and Poverty expressed how wonderful it was to see all of the founding board members again. Ms. Flory noted that when she began working with Covered California in 2013, there was a lot of chaos. With the help of the board and Mr. Lee, a model was created for other exchanges to follow. Ms. Flory expressed appreciation for Mr. Fearer and his ten years of service. Lastly, Ms. Flory thanked the board members and all the staff at Covered California for all of their hard work.

**Board Comments:** Ms. Dooley expressed how exciting is it to see how far Covered California has come, and she is watching with great enthusiasm for the next chapters.

### **Agenda Item III: Approval of Board Meeting Minutes**

**Presentation:** March 18, 2021 Meeting Minutes

**Discussion:** Mr. Barrios abstained due to his absence from the previous meeting. There were no suggested changes by the board members for the meeting minutes.

**Motion/Action:** Vice Chair Hernandez called for a motion, and a second to approve the March 18, 2021 meeting minutes. Mr. Fleming moved to approve the meeting minutes. The motion was seconded by Vice Chair Hernandez.

**Public Comment:** None.

**Vote:** The motion was approved by a unanimous vote of those present, apart from Mr. Barrios abstaining from the vote.

### **Agenda Item V: Executive Director's Report**

#### **Announcement of Closed Session**

Mr. Lee stated that the board met in closed session to discuss issues on contract, personnel, and litigation. There were no matters to report.

#### **Executive Director's Update**

Mr. Lee stated that there are many good reports on the American Rescue Plan, and he noted that the best summary is to look at the work that Covered California has been doing. Covered California has been sorting through everything that the Congressional Budget Office has said, as well as what the Kaiser Family Foundation has done in order to analyze the potential beneficiaries and impacts.

**2021 Board Meeting Dates:** Mr. Lee presented the Covered California Board meeting dates for 2021, with three of the meetings scheduled as only a possibility.

## **State and Federal Policy/Legislative Update**

On the federal front, there are several federal regulatory issues. Mr. Lee highlighted that the Department of Homeland Security (DHS) vacated the August 2019 public charge regulation. The DHS will revert to applying pre-Trump administration guidance which does not consider an applicant's receipt of Medicaid when determining whether individuals can be granted lawful entry into the United States. This didn't apply to Covered California, but it did apply to some Medical benefits. Mr. Lee noted that Covered California is working on spreading the word about this change.

Mr. Lee noted that on April 1, 2021, U.S. Health and Human Services (HHS) Secretary Xavier Becerra announced an additional \$50 million in advertising to bolster the special enrollment period outreach campaign and the ARP. It is very good news that there is now an administration in place that understands the significance of marketing.

Mr. Lee also stated that Covered California is not just a Sacramento organization. There are 15,000 Californians helping people enroll throughout the state. The largest number out of this group are certified insurance agents as well as navigators. In addition, there are unpaid enrollment counselors who work in community clinics that Covered California doesn't even fund.

Mr. Lee noted that there is one action item, which is the discussion of health plan expectations to help people receive subsidies and move them from off to on-exchange. There will be updates regarding the implementation of the ARP and an introduction of the regulatory issues that will be coming back for action in May's board meeting.

The marketing plan agenda item will not be discussed in this board meeting. Covered California will be doing a press event on April 12<sup>th</sup> to share newly-developed advertisements and a more detailed description of the marketing plan.

Covered California will be treating the months of April through June as if it were an open enrollment period. The enrollment period under the ARP will be open through the end of the year. Covered California will be providing funding and advertising to support navigators.

## **Agenda Item VI: Covered California Policy and Action Items**

### **Covered California Implementation of American Rescue Plan (ARP)**

Katie Ravel, Director of Policy, Eligibility, and Research provided a brief update on the populations who are eligible for the benefits under the ARP.

**Discussion Item: Update on Populations Eligible and Who Benefits:** Ms. Ravel gave a quick reminder of three target populations that can benefit from the ARP. These include currently uninsured, currently insured off-exchange, and currently insured Covered California members. Some numbers were updated from last month. There was about three million total eligible to benefit from subsidies, but after discussions with California Simulation of Insurance Markets (CalSIM) partners at UCLA and UC Berkeley, the data was updated to reflect current data.

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Next, Ms. Ravel noted how much richer the premium subsidies under the ARP are. For Covered California members, their eligibility will be redetermined automatically during the last few weeks of April. They will not need to take action to start receiving their subsidies in May. Additionally, Ms. Ravel briefly reminded everyone of the amount of money the three target populations will be able to save under the ARP. All of this data is foundational to the marketing efforts that Covered California is performing.

Lastly, Ms. Ravel discussed how the ARP provides big savings to consumers who have received unemployment insurance. Starting in July, any consumer who enrolls with Covered California, meets the eligibility requirements, and has at least one week of unemployment insurance benefits in 2021, will be eligible to receive a benchmark Silver plan for one dollar per member per month. Also, they will be able to receive the highest level of cost-sharing subsidies.

Mr. Lee noted that Covered California will be doing marketing to inform unemployed consumers of these benefits. Additionally, Mr. Lee stated that this implementation won't take place until late August or July. The benefits, however, will accrue to those individuals from whenever they started coverage back in January. They will receive the premium reduction for the entire year. If they are in a less rich health plan, they will receive the benefits of a Silver 94 plan. Furthermore, consumers will not have a deductible and will have a small copayment.

**Discussion Item: Engagement and Outreach to the Enroller Community:** Terri Convey, Director of Outreach and Sales, gave an update on where Covered California stands with the agent community and navigators. There have been several roundtable discussions with enrollers, presentations to stakeholder groups, email and text communication to enrollers, and informational toolkits and resources provided to enrollers. On April 20, 2021, there will be a virtual conference for enrollers and stakeholders to discuss California's implementation of the ARP.

Ms. Convey also stated that there was an increase in the funding for the navigator program by ten percent. This payment is to assist the navigators in their outreach and marketing efforts to the hardest-hit communities. She noted that Covered California is confident in its navigator channels, brokers, and enrollers in their abilities to help this implementation be successful.

Mr. Lee gave a brief reminder of Covered California's threefold strategy to help with the implementation of the ARP. The first element is to have a special enrollment period. This launches on Monday, April 12, through the end of December. The second element is to support their navigators and agents and to focus on marketing surrounding the ARP. Finally, the third element is to focus on health plan engagement. Mr. Lee noted that in the past three weeks, the senior leadership of Covered California has had discussions with the leadership teams of all eleven health plans. All of the health plans have agreed to all of the commitments that have been asked of them.

The first commitment is to assist off-exchange members receive subsidies through Covered California, by helping win back consumers that may have left coverage in 2020, and to assisting member conversions on-exchange, in a consumer-centric manner. This means that if a consumer is moving from off-exchange to on-exchange,

they will have money that they have spent up until now credited towards their deductible and out-of-pocket maximum. Also, it ensures that agent delegation is carried across. Additionally, for people who are on-exchange and have purchased a better health plan, this will ensure that any spending will carry across to the new plan.

Lastly, the health plans have agreed to engage in substantial marketing and support insurance agents. All eleven plans will be coordinating marketing with Covered California. The insurance agents enroll about half of all of Covered California's enrollees.

**Action Item: Potential Tools for Health Plans to Facilitate Enrollment:** Ms. Ravel returned to present the tools needed by health plans to start enrolling individuals. Covered California proposes to offer temporary flexibility to health plans and certified enrollers to accelerate the enrollment of eligible individuals into subsidized coverage. This will allow a carrier-specific shopping experience to assist Californians who are currently enrolled off-exchange to maximize their new premium subsidy benefit under the ARP. Covered California is proposing to offer this flexibility through the 2022 plan year.

Policy flexibility will allow carriers to engage plan-based enrollers and certified insurance agents to support their enrollment efforts. These enrollers will have the flexibility to limit the carrier options they present to a consumer when the consumer is enrolled in coverage outside of the exchange to only those Qualified Health Plans (QHP) offered by the consumer's current carrier.

With technology flexibility, Covered California microsites will enable a carrier-specific enrollment experience. Microsites are intended to facilitate the transfer of coverage from a non-exchange product into subsidized coverage. However, uninsured individuals will not be barred from using microsites. Covered California will include language in plan shopping pages to inform prospective enrollees that other QHP issuers are available. Plan-based enrollers and certified insurance agents may use the microsites or traditional enrollment channels. In terms of user flow, consumers will be able to access a microsite via a link on the carrier's website that will take the consumer to the carrier's co-branded Covered California microsite. For eligibility and enrollment, this will occur in Covered California's online application. When consumers reach plan choice, the microsite will include clear notice to consumers on shopping pages informing them that other carriers are available. The notice will provide a mechanism for consumers to link the full Covered California site and have access to other carriers if they chose to. Carrier co-branding will appear during the eligibility and enrollment experience for the consumer's initial plan selection. Consumers who return to their accounts to report changes or renew their coverage after initial enrollment will see all available carriers.

Next, Ms. Ravel discussed the related health plan requirements. Health plans will be expected to help ensure that those enrollees that are switching to on-exchange will have their amounts accrued to their deductibles. Also, health plans will be expected to maintain primary care relationships with the consumers and assure continuity of care.

In addition, Covered California will be using administrative and survey data to evaluate the impact of the temporary microsite program on consumer outcomes. Enrollments will

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be tracked through microsites to compare consumer eligibility, financial and enrollment outcomes, and member survey responses to other Covered California enrollees. Furthermore, Covered California will be able to study consumer behavior at initial plan selection and renewal.

In closing, Ms. Ravel requested that the board approve the staff recommendation for temporary policy and technology flexibility. If approved, Ms. Ravel stated that the microsites would be launched in June with a program evaluation report in Fall 2022, and the end of the temporary program would be in December 2022.

Mr. Lee noted that it is vital to have the microsites available for the 2022 renewal period. Covered California expects that many off-exchange consumers will not make the switch until the renewal period.

**Motion/Action:** Vice Chair Hernandez called for a motion, and a second to approve the action item. Mr. Fleming moved it, and Mr. Barrios seconded it.

**Board Comments:** Mr. Barrios asked Mr. Lee what the consumer experience would be like once the ARP's subsidies come to an end.

Mr. Lee noted that the unemployment benefits are only for 2021, and the majority of the other subsidies will end in 2022. Covered California expects that Congress will discuss making these changes permanent, but it is not a guarantee that it will be moved into law. As a result, Covered California is being very clear in their marketing and all of their consumer communication that these subsidies are not permanent but are a huge benefit through 2022. Mr. Lee stated that this does present an issue, however, for consumers that are switching from off to on-exchange. On one hand, these consumers will receive great benefits by enrolling with Covered California. If their income drops, they could receive subsidies that they aren't eligible for today. On the other hand, for consumers who have plans that predate the ACA, once they enroll with Covered California, they will not be able to go back. Lastly, Mr. Lee noted that he hopes that these changes will become permanent, but as of now, Covered California will be working to ensure that consumers are clear on what their choices are.

**Public Comments:** Doreena Wong with Asian Resources, Inc. was pleased to hear about the withdrawal of the public charge rule and offered help to educate the immigrant population on this change. Ms. Wong noted that Covered California created a fact sheet a few years ago on the public charge rule in different languages. She would like to see that updated and made available on the website so that navigators could reference it, and so that it could educate community members. Ms. Wong also thanked the Covered California staff for moving so quickly to implement the changes in support of the ARP. Additionally, she thanked Ms. Convey and her team for helping educate the navigators and agents with the materials that they have shared.

Mr. Lee stated that Covered California will work on updating information on the public charge rule. They will be working with Asian American and Latino communities to inform them that immigration status should not impede receiving health care coverage.

Kimberly Lewis with the National Health Law Program thanked the staff at Covered California for the quick rollout. Ms. Lewis stated that there will be confusion among

consumers regarding these changes with the ARP, so it's important that Covered California helps to provide clarity on any questions or concerns that consumers might have. She also expressed support for the marketing efforts targeting the underserved communities and for the increase in navigator funding. Lastly, Ms. Lewis asked Covered California to possibly consider further targeted marketing towards those communities in the future and to ensure that consumers have a clear understanding of their plan choice beyond the co-branded microsites.

Diana Douglas with Health Access California expressed appreciation for the breakdown that was provided of the consumers that will benefit from the federal subsidies under the ARP. Ms. Douglas also thanked the team at Covered California for working quickly on this implementation. Additionally, Ms. Douglas expressed support for the increased funding for the navigator program and emphasized that carrier-specific outreach should be used sparingly and only during this period. Finally, Ms. Douglas noted that she hopes that these subsidies will be made permanent, and if they are, microsites may not be necessary for the future.

Cary Sanders with California Pan-Ethnic Health Network (CPEHN) echoed the previous comments and thanked the staff at Covered California for the quick turnaround on this. Ms. Sanders expressed appreciation for the additional investment in marketing outreach and enrollment, particularly the increase in navigator funding. She noted that navigators play a huge role in reaching those vulnerable, impacted communities. Ms. Sanders also stated that she looks forward to the evaluation of the microsites and believes that it should only be a temporary change.

**Vote:** The motion was approved by a unanimous vote of those present.

### **Discussion Item: Changes to Eligibility and Enrollment Regulations for Individual Market**

Bahara Hosseini from the Office of Legal Affairs presented the next item up for discussion.

**Overview of the Main Proposed Changes:** The definition of “premium payment due date” was revised to distinguish between the initial premium payment and the subsequent premium payments for clarity purposes and to comply with state law. Also, the Advanced Premium Tax Credit (APTC) eligibility requirements and income verification process were revised to remove the 400 percent of the federal poverty level (FPL) to comply with the ARP. Additionally, the frequency of the periodic data matching was revised to “at least twice during the benefit year” for Medicare eligibility or enrollment, and the data matching process was revised for the enrollees who request a termination or are deceased. Furthermore, there were revisions to the passive renewal hierarchy for Qualified Dental Plans that are no longer available. The state of emergency special enrollment period was revised as well, and an exception was added for a national public health emergency or a pandemic for clarity purposes. The special enrollment period regular coverage dates were also revised with the first of the month following plan selection effective date. Lastly, revisions were made to the implementation effective date for reported changes to the 15-day rule to align with the

revised special enrollment period regular coverage effective dates and prevent confusion among consumers.

Ms. Hosseini noted that Covered California has received great feedback from advocates regarding these regulations and this item will be brought before the board for action in May.

**Public Comments:** Kimberly Lewis with the National Health Law Program expressed appreciation for the clarification of the changes that have been made to the exchange's regulations. Ms. Lewis noted that given the CalHEERS integrated eligibility and enrollment system, additional data matching is necessary for that program. She also was appreciative of the addition of the special enrollment period for consumers who are victims of either disasters or state of emergencies, and she asked that Covered California exercise the maximum flexibility with these cases.

Diana Douglas with Health Access California expressed support for the adoption of the regulatory package on eligibility and enrollment.

### **Discussion Item: Enrollment Assistance Permanent Regulation Package**

Angela Gilliam from Outreach and Sales presented the final item up for discussion.

**Certified Enrollment Counselors Enrollment Assistance Program:** Staff requested the board's approval to commence the permanent rulemaking process for the Certified Enrollment Counselors (CECs) enrollment assistance regulations. The CEC enrollment assistance regulations establish the process for individuals to become CECs and provide enrollment assistance to consumers. While most CEC enrollment assistance regulations are permanent, some are still under the emergency status. These regulations relate to background check payment, voter registration, assistance with appeals, limitation on tax assistance, and gift giving. They were adopted on December 12, 2016 and must be made permanent by December 12, 2021. The rulemaking package does not make any major changes to the emergency regulations that the board previously approved. Some changes address minor grammatical issues and update citations to state and federal regulations. Ms. Gilliam noted that the staff also requests discussion and public comment on the regulation package, and the staff will return to the board after the public comment period to request final board approval to file the permanent regulation package with the Office of Administrative Law.

**Board Comments:** Mr. Torres asked for clarification on the difference between a patient navigator and an enrollment counselor.

Mr. Lee stated that navigators are umbrella organizations, and the enrollment counselors are individuals that meet with or call the consumers. Covered California funds navigators that employ certified enrollment counselors. There about one hundred navigator organizations that are either funded directly or through contract. These organizations then fund the certified enrollment counselors.

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Mr. Lee stated that these enrollment counselors are not replacing that. The counselors are helping individuals sign up for coverage through Covered California and potentially Medical.

Mr. Barrios wanted to clarify that the funding provided to the navigators is given to agencies to pay the salaries of these counselors that regulations are becoming permanent for. Also, by making temporary regulations permanent, Mr. Barrios asked if this is a commitment by Covered California to continue funding the navigator program.

Mr. Lee stated that Mr. Barrios is correct with the way that the funding works and with the ongoing commitment of Covered California to support navigators. He noted that the navigator program for enrollment targets underserved communities that may be harder to reach.

Vice Chair Hernandez followed up Mr. Lee's comments by emphasizing the significant role that navigators have when it comes to enrollment. She stated that they are invaluable to Covered California and are appropriately placed to help Covered California reach health equity.

Mr. Lee gave a brief note before the meeting adjourned. The last board meeting was opened with an acknowledgment of the violence against Asian Americans. Mr. Lee noted that April 8<sup>th</sup> is Holocaust Remembrance Day and took a moment to pause in remembrance of all the lives that were lost.

Vice Chair Hernandez echoed Mr. Lee's comments and stated that everyone needs to step at this time when there's so much discrimination and hatred towards certain groups in America. She also thanked Mr. Lee and the team at Covered California for their hard work on the implementation of the ARP.

Vice Chair Hernandez adjourned the meeting at 3:28 p.m.