



Notice Published October 20, 2023

**NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE
OF THE CALIFORNIA HEALTH BENEFIT EXCHANGE**

NOTICE IS HEREBY GIVEN that the California Health Benefit Exchange (“Exchange”), pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict-of-interest code. A comment period has been established commencing on October 20, 2023 and closing on December 4, 2023. All inquiries should be directed to the contact listed below.

The Exchange proposes to amend its conflict-of-interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict-of-interest code include organizational and position changes since the conflict-of-interest code was amended in 2020, including:

- Reorganization of existing positions within divisions,
- The addition of the Equity and Quality Transformation and Consumer Relations and Resolution divisions,
- Updated working titles for several existing positions,
- Elimination of abolished positions and divisions,
- The addition of certain endowments as a reportable source,
- Other technical changes.

The proposed amendment and explanation of the reasons can be obtained from the agency’s contact.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than December 4, 2023, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than November 19, 2023.

The Exchange has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Faviola Adams
Regulations Coordinator
California Health Benefit Exchange (Covered California)
1601 Exposition Blvd.
Sacramento, CA 95815
Telephone: (916) 228-8668
Email: Faviola.RamirezAdams@covered.ca.gov

Comments may also be submitted by email to regulations@covered.ca.gov, or by facsimile (FAX) at 916-228-8321.

Title 10. Investment

Chapter 12. California Health Benefit Exchange

Article 1. California Health Benefit Exchange - Conflict-of-Interest Code

§ 6400. General Provisions

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **California Health Benefit Exchange ("Exchange")**.

Designated employees shall file statements of economic interest with the Exchange. The Exchange shall make the statements available for public inspection and reproduction. (Gov. Code, § 81008.) Upon receipt of the statements of Members of the Board and the Executive Director, the Exchange shall make and retain a copy and forward the original to the Fair Political Practices Commission. Members of the Board and the Executive Director may file electronically with the Fair Political Practices

Commission. Statements for all other designated employees will be retained by the Exchange.

Note: Authority cited: Government Code Sections 87302, 87302.6, 87303, 87306, 87307, 87309, 87310, 87311. Regulation: Title 2, Division 6 CCR Sections 18730, 18750.

Reference: Sections 18730, 18750

APPENDIX A - DESIGNATED POSITIONS

DESIGNATED POSITION	DISCLOSURE CATEGORY
COVERED CALIFORNIA BOARD	
Board Members	1
EXECUTIVE OFFICE	
Executive Director	1
General Counsel	1
Chief Deputy Executive Directors	1
Chief Medical Officer	1
Deputy Chief Operations Officer	1
Director	1
Deputy Director	1
Staff Services Manager II Specialist	1
Staff Services Manager 4I Specialist	2
EQUAL EMPLOYMENT OPPORTUNITY	
Equal Opportunity Officer <u>Deputy Director</u>	1
Staff Services Manager I Specialist	1
OFFICE OF LEGAL AFFAIRS	
Director <u>Assistant General Counsel</u>	1
<u>Deputy Director</u>	1
All Attorneys	1
Staff Service Manager II	1
<u>Regulatory Compliance Manager</u>	1
OFFICE OF THE OMBUDS	
Director	1
CUSTOMER CARE	
Director	1
Staff Services Manager II	1
INFORMATION TECHNOLOGY DIVISION	
Chief Information Officer	1
Deputy, Chief Information Officer	1
Chief Technology Officer I	1
Chief, Data Management & Analytics	1
Chief, Network, Server and Cloud OPS	1
Information Security Officer	1
Lead Project Manager	1
Lead Business Specialist	1
Information Technology Manager II	1

Enterprise Project Management	1
Chief, Project Management and Business Analyses	1
Information Technology Specialist III	2
Information Technology Manager I	2
Senior Network <u>and Application</u> Engineers	2
Security Analyst	2
Senior Business Analyst	1

POLICY, ELIGIBILITY, AND RESEARCH DIVISION

Director	1
Associate Deputy Director	1
Assistant Deputy Director	1
Staff Services Manager III	1
Staff Services Manager II (Supervisory)	1
Health Program Specialist II	1
Senior Research Data Scientist	1
Federal Policy Specialist	1

EXTERNAL AFFAIRS

Director	1
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FINANCIAL MANAGEMENT DIVISION

Director	1
Deputy Director	1
Chief of Financial Planning	1
Research Scientist Manager	1
Staff Services Manager III	1
Budget Officer	2
Research Scientist Supervisor I	1

BUSINESS SERVICES BRANCH

Deputy Director	1
Assistant Deputy Director	1
Administration/Health and Safety Section Manager	1
Procurement Officer	1
Procurement Analyst	1
Contract Manager	1
Contract Analyst	1
Special Projects Liaison	1
Special Projects, AGPA	1
Admin /Special Projects Manager	1
Real Estate & Special Projects Manager	1
Real Estate Manager	1
Special Projects Manager	1
Procurement, Staff Services Manager I	1

HUMAN RESOURCES BRANCH

Deputy Director	1
Assistant Deputy Director	1
Labor Relations Manager	2
Labor Relations Officer	2
Labor Relations Specialist	2
Recruitment & Hiring Section Chief	2
Talent Acquisition Manager	2
Executive Talent Acquisition	2
Performance & Disability Section Chief	2

PLAN MANAGEMENT DIVISION

Director	1
Deputy Director	1
Chief Medical Officer	1
Medical Director	1
Pharmaceutical Consultant	1
Lead Plan Manager	1
Staff Services Manager III	1
Plan Manager	1
Contract Manager	1
Staff Services Manager, Certification and Contract Management	1
Lead Certification Program Specialist	1
Staff Services Manager II, Carrier Management	1
Staff Services Manager II, Analytics and Informatics	1
Staff Services Manager II (Managerial), Population Care	1

EQUITY AND QUALITY TRANSFORMATION DIVISION

Deputy Director	1
Senior Medical Director	1
Health Program Manager II	1
Medical Consultant I	1
Staff Services Manager II (Managerial)	1
Research Data Specialist III	1
Research Data Specialist II	1
Senior Quality Specialist	1
Senior Population Health Specialist	1

OUTREACH AND SALES DIVISION

Director	1
Deputy Director	1
Staff Services Manager III	1
Research Data Specialist II	2
Agent Team Manager	1
Certification Services Manager	1
Distribution Services Manager	1

Analytics Manager	1
Account Services Section Manager	2
RANCHO CORDOVA SERVICE CENTER	
Director	1
Deputy Director	1
<u>SACRAMENTO SERVICE CENTER</u>	
Staff Services Manager III	1
Appeals Section Manager	1
Appeals Manager	2
FRESNO SERVICE CENTER	
Staff Services Manager III	1
SERVICE CENTER SUPPORT SERVICES	
Staff Services Manager III	1
<u>CONSUMER RELATIONS AND RESOLUTION</u>	
Consumer Relations and Resolution Branch Chief	1
Appeals Section Manager	1
Appeals Manager	2
PROGRAM INTEGRITY DIVISION	
Director	1
Deputy Director	1
Staff Services Manager III	1
Staff Services Manager II	2
Quality Review Auditor	1
Health Program Specialist I, Fraud and Risk Lead	1
Consumer Protection and Fraud Risk Manager	1
Senior Program Manager	2
COMMUNICATIONS AND PUBLIC RELATIONS <u>EXTERNAL AFFAIRS</u>	
Director	1
Deputy Director	1
Staff Services Manager II	1
Staff Services Manager I	2
MARKETING DIVISION	
Director	1
Deputy Director	1
Staff Services Manager III	1
Staff Services Manager II	1
Content Marketing Lead	2
Staff Services Manager II (Managerial), Division Consultant	1

COVERED CALIFORNIA UNIVERSITY

Deputy Director	1
Assistant Deputy Director	1
Staff Services Manager II	2
Operations Manager	2

Consultants/New positions *

* Consultants/New Positions and individuals serving in new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Executive Director may determine in writing that a particular consultant/new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the duties and, based on that description, a statement of the extent of the disclosure requirements. The Executive Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code, § 81008.)

CALIFORNIA HEALTH BENEFIT EXCHANGE

APPENDIX B- Disclosure Categories

1. Designated employees shall disclose all investments and business positions in business entities, and income, including gifts, loans, and travel payments, from the following:

- Health insurance carriers.
- Health insurance agents or brokers.
- Health care providers.
- Health care facilities or health clinics.
- Pharmaceutical companies.
- Medical device or equipment manufacturers or distributors.
- Pharmacy benefit management companies.
- Third party administrators (health claims only)
- Trade associations of health insurance carriers, health insurance agents or brokers, health care providers, health care facilities or health clinics, pharmaceutical companies, and medical device or equipment manufacturers or distributors.
- Non-profit foundations or endowments formed or funded by health insurance carriers or any other health care entities listed herein.
- Organizations representing individuals with specific medical conditions.
- Information technology consulting firms.

- Sources of the type to provide goods, equipment, materials, supplies, and information technology or telecommunication products to the California Health Benefit Exchange.
- Sources of the type to provide personal services to the California Health Benefit Exchange, including, but not limited to, health care and insurance research consulting firms.
- Sources of the type to receive funding from or through the California Health Benefit Exchange.

2. Designated employees shall disclose investments and business positions in business entities, and sources of income, which provide goods, equipment, materials, supplies, and information technology or telecommunication products of the type used by the California Health Benefit Exchange.