

March 21, 2024

The Honorable Joseline A. Peña-Melnyk  
Chair, House Health and Government Operations Committee  
Room 241, House Office Building  
6 Bladen St.  
Annapolis, MD 21401

**Re: Letter of Support – SB 217 – Health Insurance – Conformity with Federal Law**

Dear Chair Peña-Melnyk and Members of the House Health and Government Operations Committee,

The Maryland Health Benefit Exchange (MHBE) respectfully submits this letter of support on Senate Bill (SB) 217 - Health Insurance – Conformity with Federal Law. SB 217 would simply update Maryland statute to conform to or clarify changes to federal regulations in recent years.

Two provisions in this bill relevant to the Exchange provide the Exchange the option to 1) adopt an expanded annual open enrollment period and 2) adopt alternative effective dates of coverage for enrollments under the extended annual open enrollment period. Recent updates to federal regulations had provided State-Based Marketplaces with these two authorities, and MHBE subsequently already implemented an expanded annual open enrollment period and alternate effective dates of coverage and supports conforming Maryland law to these federal updates.

A third provision of this bill relevant to the Exchange is in regards to another recent federal update which revised a triggering event for a special enrollment period (SEP). The federal revision removed the burden of proof that previously fell on the consumer to demonstrate to the Exchange that a material plan display error influenced the consumer's decision to purchase a qualified health plan through the Exchange (the federal justification for this revision being that plan display errors are often identified by other parties, not the consumer). Cost-sharing information was also added to the list of material errors that could trigger an SEP. The related provision in this bill is a technical revision to Maryland law in order to fully implement the updated federal regulations, and likewise MHBE supports conforming Maryland law to this federal update.

For further discussions or questions on SB 217, please contact Johanna Fabian-Marks, Director of Policy and Plan Management at [johanna.fabian-marks@maryland.gov](mailto:johanna.fabian-marks@maryland.gov).

Sincerely,



Michele Eberle

Executive Director