

**State of California
Office of Administrative Law**

In re:
California Health Benefit Exchange

Regulatory Action:

Title 10, California Code of Regulations

Adopt sections:

Amend sections: 6400

Repeal sections:

NOTICE OF FILING AND PRINTING ONLY

Government Code Section 11343.8

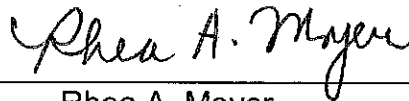
OAL Matter Number: 2024-0223-03

OAL Matter Type: File and Print Only (FP)

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

OAL filed this regulation(s) or order(s) of repeal with the Secretary of State and will publish the regulation(s) or order(s) of repeal in the California Code of Regulations.

Date: March 7, 2024



Rhea A. Moyer
Associate Governmental
Program Analyst

For: Kenneth J. Pogue
Director

Original: Jessica Altman, Executive
Director

Copy: Faviola Adams

FILE PRINT

(See instructions on reverse)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2023-1005-02	REGULATORY ACTION NUMBER 2024-0223-03	EMERGENCY NUMBER FP
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ENDORSED - FILED
in the office of the Secretary of State
of the State of California

MAR 07 2024

1:59 PM

For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW
2024 FEB 23 PM 2:55

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
California Health Benefit Exchange

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn			NOTICE REGISTER NUMBER 2023, 42-2	PUBLICATION DATE 10/20/23

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Conflict-of-Interest Code	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) Z-2023-1005-02
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 6400
	REPEAL

TITLE(S)
10

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code § 11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§ 11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, § 11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code § 11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, § 11346.1)	<input checked="" type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, § 11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, § 44 and Gov. Code § 11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, § 100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code § 11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) 30 days after SOS filing per 2 CCR 18750
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM § 6660)	<input checked="" type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Faviola Adams	TELEPHONE NUMBER (916) 228-8668	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Faviola.Ramirez-Adams@covered.ca
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Jessica Altman</i>	DATE 02/05/2024
TYPED NAME AND TITLE OF SIGNATORY Jessica Altman, Executive Director	

For use by Office of Administrative Law (OAL) only

AUTHORIZED FOR FILING AND PRINTING

MAR 07 2024

Office of Administrative Law

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 Deputy Director	1
Staff Services Manager I Specialist	1
OFFICE OF LEGAL AFFAIRS	
Director Assistant General Counsel	1
Deputy Director	1
All Attorneys	1
Staff Service Manager II	1
Regulatory Compliance Manager	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 and Application 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-Real Estate/Special Projects Managers	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

SACRAMENTO SERVICE CENTER

Staff Services Manager III	1
Appeals Section Manager	1
Appeals Manager	2

FRESNO SERVICE CENTER

Staff Services Manager III	1
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SERVICE CENTER SUPPORT SERVICES

Staff Services Manager III	1
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CONSUMER RELATIONS AND RESOLUTION

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 EXTERNAL AFFAIRS

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
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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.

This is the last page of the conflict of interest code for the California Health Benefit Exchange .



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict of interest code for the California Health Benefit Exchange was approved on 1/25/24

Sukhdip Brar Digitally signed by Sukhdip Brar
Date: 2024.01.25 15:46:25 -08'00'

Sukhi K. Brar

Assistant Chief Counsel

Fair Political Practices Commission

Pursuant to Government Code Section 11346.2:

Secretary of State Filing Date:

Effective: