

**MEMORANDUM OF AGREEMENT
BY AND BETWEEN**

THE OFFICE OF HEALTH REFORM AND INNOVATION

AND

THE CONNECTICUT HEALTH INSURANCE EXCHANGE

This Memorandum of Agreement ("MOA"), entered into by The Connecticut Health Insurance Exchange d/b/a Access Health CT (hereinafter "Exchange") established under Connecticut Public Act No. 11-53 and the Office of Health Reform and Innovation (hereinafter "OHRI") (collectively, the "Parties"), established under Connecticut General Statutes 19a-724 ("CGS"), shall be effective April 4, 2013.

WHEREAS, the Exchange is a quasi-public agency formed to implement certain provisions of the Patient Protection and Affordable Care Act, Pub.L.111-48, as amended by the Health Care and Education Reconciliation Act of 2010, Pub.L.111-152, (collectively "ACA") and is charged with administering Connecticut's Exchange for individuals and small employers to be effective January 1, 2014; and

WHEREAS, in accordance with CGS 38a-1080 *et. seq.*, the goals of the Exchange shall be to reduce the number of individuals without health insurance in the State of Connecticut and assist individuals and small employers in the procurement of high-quality, affordable health insurance coverage; and

WHEREAS, in accordance with CGS 38a-1083 (c) (20), the Exchange shall take measures necessary and convenient to carry out the purposes of the Exchange, provided such measures shall not conflict with the provisions of the ACA, regulations adopted thereunder or federal guidance issued pursuant to the ACA; and

WHEREAS, OHRI was established within the Lieutenant Governor's office to coordinate Connecticut's meaningful and proactive statewide approach to federal health reform; and

WHEREAS, in 2012 the Legislature enacted Public Act No. 12-166 providing for the establishment of an All Payers Claims Database (hereinafter "APCD") in Connecticut and charged the OHRI with overseeing, planning, implementing and administrating an APCD program in Connecticut for the purpose of collecting and assessing and reporting health care information relating to safety, quality, cost effectiveness, access and efficiency for all levels of health care; and

WHEREAS, to ensure that the citizens of Connecticut have access to a quality health care delivery system and both the OHRI and the Exchange recognize the need for a coordinated effort to implement the requirements of the ACA, the establishment of a state-operated health insurance Exchange, and the development of an APCD.

NOW THEREFORE, the parties mutually agree to the following terms and conditions:

- I. In cooperation with the Office of the Lieutenant Governor, the Exchange shall:
 - a. Prepare for administration of the APCD by analyzing the integration of the APCD with the Exchange, including staffing needs, and the development of a sustainability plan;
 - b. Receive and manage funding for the APCD;
 - c. Develop policies and procedures governing the APCD;
 - d. Develop a guide for the submission of data by payers to the APCD;
 - e. Issue an RFP for, and subsequently select and contract with, a Data Management vendor for the APCD;
 - f. Meet regularly with the APCD Advisory Group concerning the development and implementation of the ACPD; and
 - g. Prepare and file all reports regarding the ACPD as required by the federal or state government.

II. Alterations, Modifications, Changes to the MOA

Any changes in the provisions of this MOA may be made only by the mutual written agreement of both parties, either as an addendum added to this MOA or through an amendment.

III. Term and Notice

- a. This MOA shall be effective from the date of the last signature, and shall expire on October 1, 2013 or the effective date of legislation which transfers responsibility for the APCD to the Exchange, whichever is earlier.

IV. Miscellaneous

- a. No employee or agent of the Lieutenant Governor or OHRI shall be or shall be deemed to be an employee or agent of the Exchange or have authorization, express or implied, to bind the State on behalf of the Exchange to any agreements,

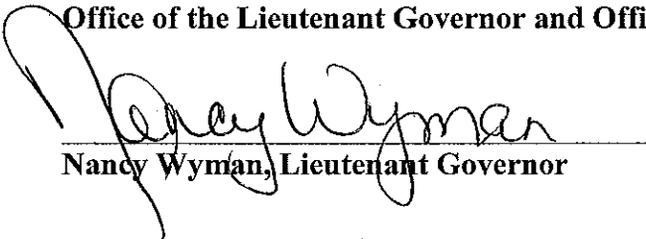
settlements, liability or understandings, except as expressly set forth in the MOA or its subsequent addenda or amendments. The Office of the Lieutenant Governor solely and entirely shall be responsible for their acts and the acts of their employees and contractors, if any, during the performance of this MOA.

- b. No employee or agent of the Exchange shall be or shall be deemed to be an employee or agent of the Office of the Lieutenant Governor or OHRI or have authorization, express or implied, to bind the Exchange on behalf of the Lieutenant Governor or OHRI to any agreements, settlements, liability or understandings, except as expressly set forth in the MOA or its subsequent addenda or amendments. The Exchange solely and entirely shall be responsible for their acts and the acts of their employees and contractors, if any, during the performance of this MOA.
- c. This MOA shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.
- d. The individuals below are named as parties to this MOA, and, by their signatures, mutually enter into this MOA.

ACCEPTANCE AND APPROVALS

Office of the Lieutenant Governor and Office Health Reform and Innovation

Date



Nancy Wyman, Lieutenant Governor

4/3/13

Connecticut Health Insurance Exchange d/b/a Access Health CT

Date



Kevin J. Coughlin, CEO

4/4/13