

THE FIRST 10 YEARS

Looking Back and Looking Forward



COVERED
CALIFORNIA

COVERED CALIFORNIA

The First 10 Years

Looking Back and Looking Forward

Foreword

The federal Patient Protection and Affordable Care Act represented the biggest improvement to America's health care system since the passage of Medicaid and Medicare more than 50 years ago. The landmark law opened the doors of health care to millions of people who had been shut out because of a pre-existing condition. It provided financial help to bring the cost of coverage within reach and established patient-centered benefits to ensure that people could get the care they need.

California embraced the new law, and with bipartisan support, it became the first state to establish its own marketplace under the Affordable Care Act. For more than a decade, Covered California has stood in the privileged position of helping improve the care and health outcomes of people throughout the state. It has built a competitive marketplace that puts consumers first, and it has used its experiences as the largest state-based marketplace to serve as a model for the rest of the nation.

This report looks back at Covered California's first 10 years, chronicling some of the most important milestones in its history, including its establishment and launch, the era of "repeal and replace," stepping up during the COVID-19 pandemic and building toward the future.

Looking ahead, Covered California plans to continue its commitment of putting the consumer first by improving health care quality, improving health outcomes, holding health insurance companies accountable, promoting enrollment and making the market work for Californians.

As you read this report, know that these pages only capture a fraction of the hard work and commitment that have been poured into this organization by thousands of people across California.

We want to thank the Department of Health Care Services and other state agency partners, consumer advocates, certified enrollment entities, county eligibility workers, Licensed Insurance Agents, insurers, community and faith-based organizations, places of worship, schools, colleges and universities, clinics, unions, small businesses and so many others. You have all helped make history.

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Service Center Division Director

Colleen Stevens
Marketing Division Director



President Barack Obama with Vice President Joe Biden, members of Congress and special guests, signs the health insurance reform bill in the East Room of the White House, March 23, 2010. (Courtesy Barack Obama Library)

Introduction

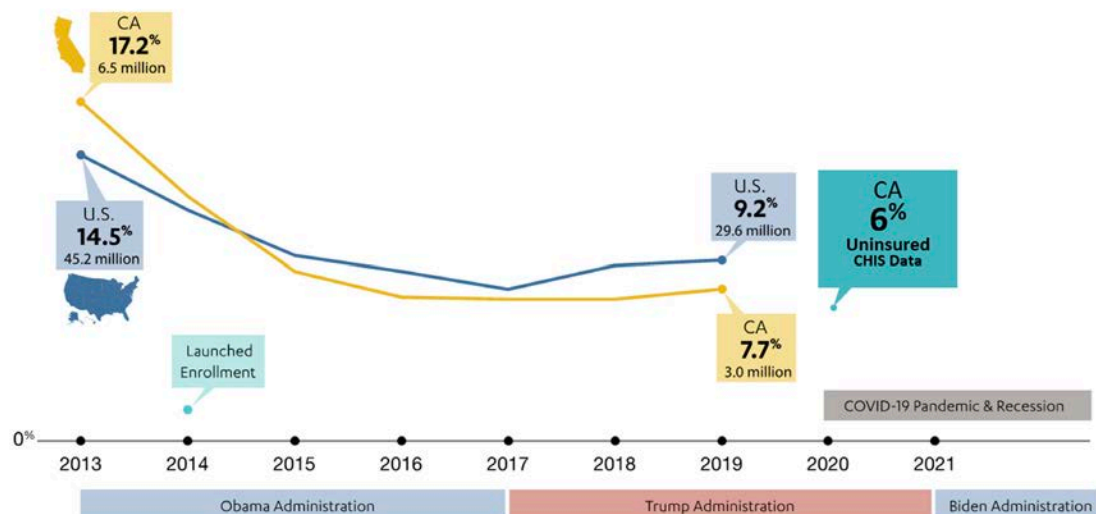
The Patient Protection and Affordable Care Act, passed in 2010, guaranteed coverage and opened the door to health insurance for millions of Americans who had previously been shut out because of an illness or a pre-existing condition. California swiftly embraced the Affordable Care Act, becoming the first state in the nation to enact legislation to establish a state-based marketplace under the law. California also leveraged the Affordable Care Act by expanding Medi-Cal, the state's Medicaid program, creating access to comprehensive coverage for millions of Californians.



President Barack Obama's signature on the Patient Protection and Affordable Care Act at the White House, March 23, 2010. The President signed the bill with 22 different pens.

With the establishment of Covered California and the expansion of Medi-Cal, California reduced the rate of uninsured to historic lows, from over 17.2 percent in 2013 to 7.7 percent in 2019. In addition, recent state data shows that California's proactive measures during the pandemic drove that figure down even lower, to 6 percent in 2020.

Record Decrease in California's Uninsured Rate



Since opening its doors in 2014, Covered California has worked with Medi-Cal to dramatically improve access to quality health care in the state. More than 5 million people have been insured for at least one month directly through Covered California, and 4.5 million people are currently enrolled in Medi-Cal due to the Affordable Care Act's expansion.

Additionally, Covered California helped transform the individual market in the state by creating a stable, competitive marketplace where consumers have benefited from lower premiums and are offered a broad choice of plans with patient-centered benefit designs that compete based on price, value and provider networks.

While the enactment of the Affordable Care Act and its robust implementation in California set the foundation for the state's progress to improve and expand health care, the law also faced repeated legal challenges and policy changes that spurred innovative problem solving and solutions that were used across the nation.

Covered California's "First 10 Years" recounts major milestones during its establishment and launch, its efforts to drive consumer-centric policies in the face of uncertainty and a

shifting health care policy and political landscape, and its vision for the future as the state and nation look to build on the Affordable Care Act in meaningful ways.

Moving forward, Covered California hopes that the lessons learned over the past decade will help inform future discussions about the ongoing expansion of health care coverage. We stand ready to provide guidance and technical assistance as California advances on the path to universal coverage.



California Gov. Arnold Schwarzenegger, with Sen. Elaine Alquist, D-Santa Clara, signs legislation creating a health care exchange.

I. Establishment and Launch of Covered California, 2010 to 2016

California sought to implement the Affordable Care Act as effectively as possible to fulfill the promise of the law and to bring health care within reach of millions of Californians. The state embraced two fundamental provisions of the Affordable Care Act early on: the expansion of Medicaid and the ability of states to establish state-based marketplaces to increase access to health coverage in the individual and small-group markets.

In 2010, six months after the passage of the Affordable Care Act, and under the leadership of Gov. Arnold Schwarzenegger and a Democratic Legislature, California became the first state in the nation to enact legislation to establish a state-based marketplace under the Affordable Care Act. The legislation established the marketplace as an independent entity in state government, governed by a five-member executive board composed of appointees of the governor and Legislature.

By 2011, Covered California's Board of Directors was established, and work to build the new state-based marketplace was underway. Among its first orders of business was developing a vision and mission to set the marketplace's foundation. Through an inclusive public process, the board engaged a wide variety of stakeholders to adopt the following vision and mission statement that broadly captured the role of the marketplace:

COVERED CALIFORNIA'S VISION:

The vision of Covered California is to improve the health of all Californians by assuring their access to affordable, high-quality care.

COVERED CALIFORNIA'S MISSION:

The mission of Covered California is to increase the number of insured Californians, improve health care quality, lower costs, and reduce health disparities through an innovative, competitive marketplace that empowers consumers to choose the health plan and providers that give them the best value.

The vision and mission set a foundation for Covered California to serve not only as an exchange for affordable and high-quality health insurance, but also as a driver of improved health care costs, quality and equity across California's health care system. Covered California's board also established a set of core values centered on putting the

Covered California's Inaugural Board, 2012



Covered California's first Board of Directors. Front row, left to right: Paul Fearer and Susan Kennedy. Back row: Belshe, Dr. Robert Ross, Executive Director Peter V. Lee, and Diana Dooley.

consumer first in everything the marketplace would do, operating with transparency to build collaborative partnerships and public trust, and making evidence-based decisions upon which it could measure results. Covered California's vision and mission have stood the test of time, and 10 years later they remain its North Star.

Defining Decisions for California's New Affordable Care Act Marketplace

Having set its mission, vision and values, Covered California's board moved to build the new marketplace. The board hired its founding executive director, Peter V. Lee, in 2011 and built a team to lead the marketplace's continued development. A cascade of strategic, foundational decisions followed that created an effective, consumer-centric marketplace that would also serve as a state and national proving ground for marketplace policy as the Affordable Care Act took flight.



Above and below, board meetings in the early days of Covered California.





Covered California met with President Obama and health leaders in his administration and held town hall meetings across the state to prepare Californians for this new era of health care.





Covered California hosts a town hall forum in San Francisco with Executive Director Peter V. Lee and House Democratic Leader Nancy Pelosi on Aug. 9, 2013.

Naming the Marketplace: “Covered California” is Born

One key priority heading into the first open-enrollment period was to brand the marketplace with a resonant, recognizable name that would make clear that the marketplace is a trusted source for affordable, quality health insurance. The board considered various potential names, including “Eureka,” “CaliHealth” and “Avocado.” After extensive market research, consumer testing and deliberation by the board, “Covered California” was selected as the marketplace’s new name.



Investing in Extensive Marketing, Outreach, and Enrollment Assistance

Recognizing that selling health insurance is uniquely challenging, Covered California's board and leadership determined early on that marketing and outreach were critical to not only driving public awareness leading up to its first open-enrollment period, but also to ensuring a healthy risk mix, lower premiums and overall sustained marketplace stability. Covered California engaged in early research with target consumer populations, examined the experiences of public and private health insurers, and worked in collaboration with insurance agents, community stakeholders, private foundations, health insurance carriers, policy experts and others to develop an infrastructure for year-over-year multichannel, multicultural marketing, outreach, education and enrollment assistance programs.





Covered California Certified Enrollment Counselor Davinia Clemons, from the NAACP.

In addition, Covered California also leveraged existing expertise in every corner of the state by engaging with insurance agents and community organizations known as Navigators. More than 11,000 insurance agents have been trained and certified to sell Covered California products, offering free and confidential assistance in a variety of languages, and they are consistently the largest single channel for enrollment. The Navigators are funded directly by Covered California through a performance-based competitive grant. They reflect a diverse mix of organizations that provide support for enrolling potentially hard-to-reach populations.



Covered California and Chapcare clinic promote enrollment.



Covered California storefronts, operated by certified agents, getting consumers enrolled.





Enrollment partners, a key to reaching California's diverse communities.



Putting Consumers First as an Active Purchaser and Requiring Standard Benefit Designs

The statute that established Covered California enabled the board to decide to operate the marketplace as an “active purchaser” on behalf of the consumers it serves. Covered California developed a rigorous process by which it would select the health insurance companies it would contract with, vetting and negotiating with the companies on rates, network composition and delivery-system requirements. As an active purchaser, Covered California also holds health insurers accountable to meet consumers’ needs, address health disparities and equity, and continue to drive toward improved health care delivery and quality.

California law authorized Covered California’s board to standardize products offered through the marketplace. As such, the board required its contracted health insurance companies to offer patient-centered benefit designs across all health plans. The health

Covered California’s Patient-Centered Benefit Designs and Medical Cost Shares for 2022

Coverage Category	Minimum Coverage	Bronze	Silver	Enhanced Silver 73	Enhanced Silver 87	Enhanced Silver 94	Gold	Platinum
Percent of cost coverage	Covers 0% until out-of-pocket maximum is met	Covers 60% average annual cost	Covers 70% average annual cost	Covers 73% average annual cost	Covers 87% average annual cost	Covers 94% average annual cost	Covers 80% average annual cost	Covers 90% average annual cost
Cost-sharing Reduction Single Income Range	N/A	N/A	N/A	\$25,761 to \$32,200 (>200% to ≤250% FPL)	\$19,321 to \$25,760 (>150% to ≤200% FPL)	up to \$19,320 (100% to ≤150% FPL)	N/A	N/A
Annual Wellness Exam	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Primary Care Visit	After first 3 non-preventive visits, full cost per instance until out-of-pocket maximum is met	\$65*	\$35	\$35	\$15	\$5	\$35	\$15
Urgent Care		\$65*	\$35	\$35	\$15	\$5	\$35	\$15
Specialist Visit		\$95*	\$70	\$70	\$25	\$8	\$65	\$30
Emergency Room Facility	Full cost per service until out-of-pocket maximum is met	40% after deductible is met	\$400	\$400	\$150	\$50	\$350	\$150
Laboratory Tests		\$40	\$40	\$40	\$20	\$8	\$40	\$15
X-Rays and Diagnostics		40% after deductible is met	\$85	\$85	\$40	\$8	\$75	\$30
Imaging			\$325	\$325	\$100	\$50	\$150 copay or 20% coinsurance***	\$75 copay or 10% coinsurance***
Tier 1 (Generic Drugs)	Full cost per script until out-of-pocket maximum is met	\$18**	\$15**	\$15**	\$5	\$3	\$15	\$5
Tier 2 (Preferred Drugs)		40% up to \$500 per script after drug deductible is met	\$55**	\$55**	\$25	\$10	\$55	\$15
Tier 3 (Non-preferred Drugs)			\$85**	\$85**	\$45	\$15	\$80	\$25
Tier 4 (Specialty Drugs)			20% up to \$250** per script	20% up to \$250** per script	15% up to \$150 per script	10% up to \$150 per script	20% up to \$250 per script	10% up to \$250 per script
Medical Deductible	N/A	Individual: \$6,300 Family: \$12,600	Individual: \$3,700 Family: \$7,400	Individual: \$3,700 Family: \$7,400	Individual: \$800 Family: \$1,600	Individual: \$75 Family: \$150	N/A	N/A
Pharmacy Deductible	N/A	Individual: \$500 Family: \$1,000	Individual: \$10 Family: \$20	Individual: \$10 Family: \$20	N/A	N/A	N/A	N/A
Annual Out-of-Pocket Maximum	\$8,700 individual \$17,400 family	\$8,200 individual \$16,400 family	\$8,200 individual \$16,400 family	\$6,300 individual \$12,600 family	\$2,850 individual \$5,700 family	\$800 individual \$1,600 family	\$8,200 individual \$16,400 family	\$4,500 individual \$9,000 family

Benefits in blue are not subject to a deductible. Benefits in blue with a white corner are subject to a deductible after the first three visits.

insurers are also required to offer “mirrored” products using Covered California’s standard benefit designs in the off-exchange individual market. As a result of this decision, health insurers compete with one another based on premium rates, networks, quality, consumer tools and service. Additionally, consumers are better able to make apples-to-apples comparisons of plans, reducing choice overload and helping them to make better choices based on price, network and quality.

Creating a Robust Infrastructure for Service to Consumers

Covered California anchored its approach to high-caliber customer service with a state-of-the-art website, online enrollment portal and service center. The website, CoveredCA.com, provides Californians with important information on how to use their coverage, shows the amount of financial help they can receive and the plan options in their region with the Shop and Compare Tool, and connects people with various enrollment channels.

Among them is the California Healthcare Eligibility, Enrollment and Retention System (CalHEERS), which provides an online portal and eligibility determination system for Covered California, Medi-Cal, and other programs administered by the Department of Health Care Services. CalHEERS represents a tremendous collaboration and partnership with the Department of Health Care Services, counties, labor and many others.

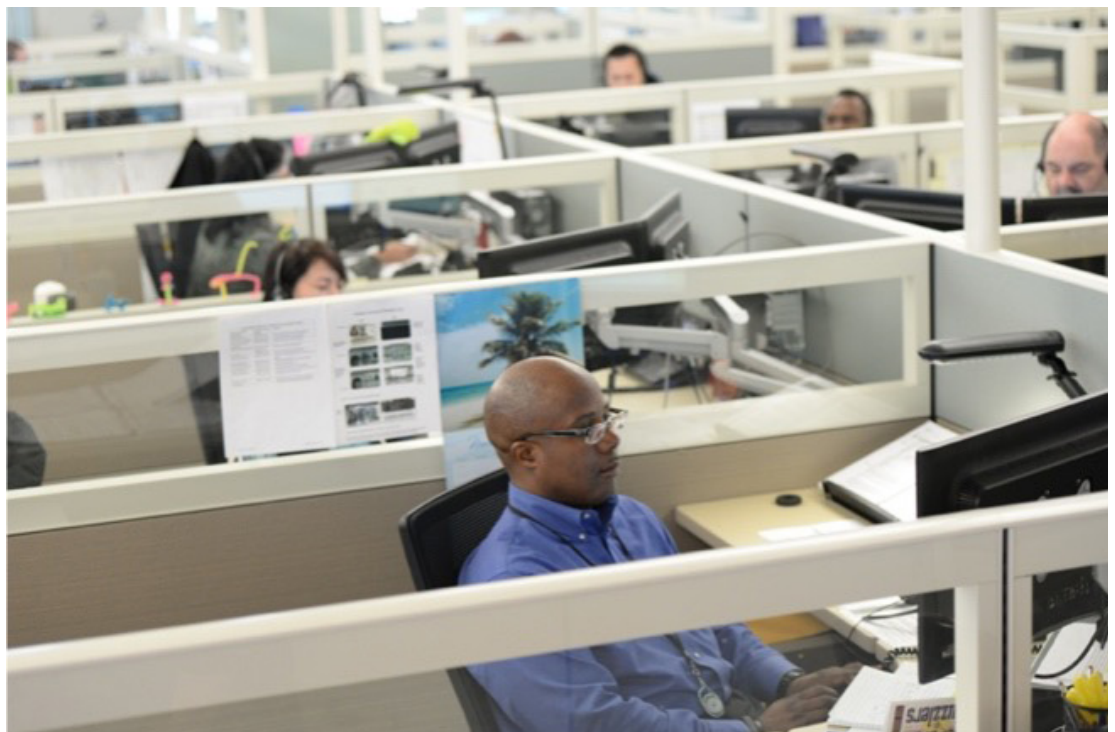
Covered California’s service center is staffed by state employees trained to inform and assist consumers in a way that is culturally and linguistically appropriate. In 2013, Covered California opened service center offices in Rancho Cordova, Fresno and Contra Costa County with staff who could provide services in an array of languages, including English, Spanish, Mandarin and Vietnamese. Service center staff are supported by Faneuil, Inc., a “surge vendor” that adds service capacity during peak enrollment periods, such as open enrollment.



Peter V. Lee and with James Duckens, CalHEERS Project Director.



Above and below: Rancho Cordova Service Center, 2016





Above and below: Fresno Service Center, Nov. 30, 2013





Contra Costa Service Center, 2013

Implementing the Small Business Health Options Program (SHOP)

Covered California's board and leadership also implemented a key provision of the Affordable Care Act that encourages small businesses to offer health coverage to their employees. In 2014, Covered California established a small-business exchange, later renamed Covered California for Small Business (CCSB). Separate from Covered California's individual health insurance exchange, CCSB offers health coverage options to small businesses and their employees in a way that fosters employee choice.



Celebrating Covered California's community-based storefronts.

Stakeholder Engagement: Transparency and Collaboration

Covered California made early decisions to operate with transparency and collaboration with stakeholders to inform its policy development. In addition to public engagement through board meetings, Covered California established stakeholder advisory groups to inform and collaborate on the development of programs. These include the following:

- Plan Management advisory group.
- Marketing, Outreach and Enrollment Assistance stakeholder advisory group.
- Small Business Health Options Program stakeholder advisory group.
- Tribal Advisory Workgroup and Consultation.



Listening to Tribal leaders, stakeholders and the general public.





Covered California debuts its first marketing campaign in August 2013.

Covered California Opens for Business: the First Open-Enrollment Period

In three short years, Covered California grew from an idea in federal and state law to a fully functional state-based marketplace ready to bring the promise of the Affordable Care Act to fruition. Eleven health insurance companies contracted with Covered California to offer coverage during the 2014 coverage year, ensuring consumer choice and fulfilling the goals of having a competitive marketplace.

Covered California unveiled its first advertising and marketing campaign in August 2013 promoting the new marketplace — and the new era of coverage under the Affordable Care Act — through television and radio ads and through digital and social media. The campaign targeted California's diverse population, providing information in various

languages through a variety of media. The ads centered on consumer access to low-cost or no-cost insurance and the new rules that allow everyone to have coverage.

In October 2013, Covered California launched its first open-enrollment period with remarkable results. Over the course of the next six months, more than 3 million Californians enrolled in a plan through Covered California or Medi-Cal. Of that 3 million, nearly 1.4 million enrolled in a Covered California plan, exceeding enrollment projections by more than 800,000. This historic enrollment not only demonstrated the demand for comprehensive coverage at lowered costs as a result of the Affordable Care Act, but it also established a robust enrollment population that has grown over the years.

Since first opening its doors in 2014, nearly 90 percent of Covered California's enrollees have been eligible for federal tax credits to subsidize their premiums, and the focus on reaching communities of color has resulted in an enrollee population that largely reflects the diversity of the state.

The strong start also set the stage for a stable consumer-driven marketplace in the years to come. Covered California continued its efforts to promote enrollment through continued investments in marketing and outreach, leveraging tens of thousands of agents and enrollers.



Covered California begins its first open-enrollment period at the Rancho Cordova Service Center on Oct. 1, 2013.

For its second open-enrollment period, Covered California launched its inaugural bus tour, traveling throughout the state from Redding to San Diego and stopping at more than 30 locations in 23 cities to visit events and enrollment partners to encourage new enrollment. Nearly 100 media outlets — including print, online, radio and television — attended press events during the 11-day bus tour, generating national, state and local media coverage promoting open enrollment.



Covered California's first day of open enrollment ends with a celebration at Union Square in Los Angeles.



Press conference in Sacramento.



Board Chair Diana Dooley at Covered California event in Fresno.



Board Member Dr. Robert K. Ross promoting enrollment in San Diego.

The Covered California bus tour became an annual open-enrollment campaign strategy for the next several years, with varying themes reflecting the notion that health care is local. From “I’m In” to “Spotlight on Coverage” and “Covered in Art,” the tours highlighted the fact that Covered California was woven into the fabric of the state. The tour made stops at agent storefronts and clinics that had a hand in enrolling all eligible Californians, particularly those in underserved communities. The bus tour also served as a rolling billboard and was a perfect backdrop for selfies. It set the stage for some of Covered California’s most iconic photos over the years.



*Traveling the state
on the Covered
California Bus.*



*Peter V. Lee and
Sen. Richard Pan
in Sacramento.*



First Bust Tour: "I'm In"

*Dancers
choreographed by
Gigi Torres, Orange
County, 2018*



*Covered California
member Charley
McMahon, San
Diego, 2017*





*Avenue of the
Giants, Humboldt
Redwoods State
Park, 2015*



Mural in Redding, 2017



Then-Vice President Joe Biden praised Covered California's efforts to reach the state's diverse uninsured population, Jan. 24, 2015.

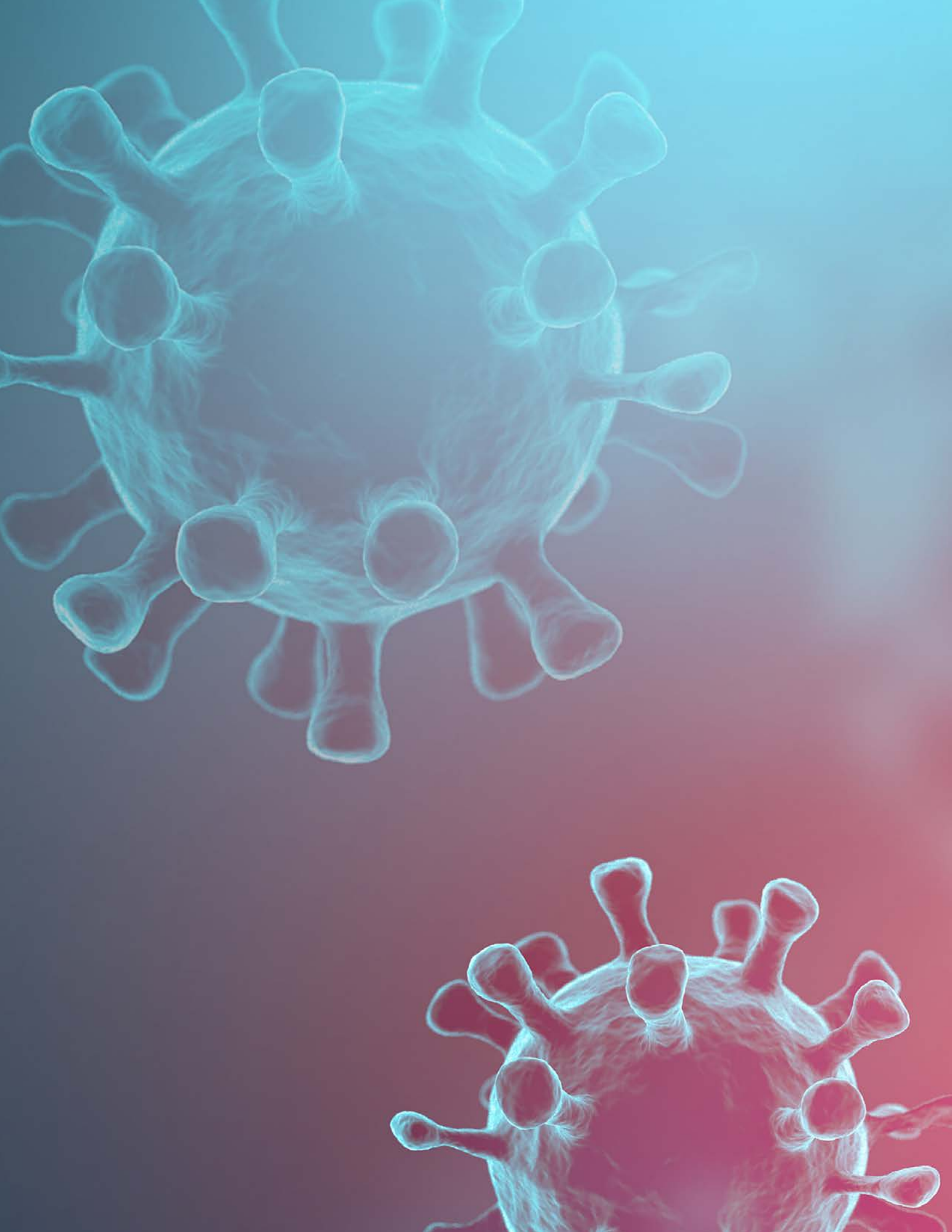
Covered California's efforts drew the attention and support of advocates, community organizations and elected leaders — including then-Vice President Joe Biden — who joined Covered California at an event in 2015. Biden praised the grassroots work being done to reduce California's uninsured rate and enroll members of its diverse population, particularly Latinos, African Americans and young people.



Mural at Charles R. Drew University of Medicine and Science, Los Angeles, 2018



Santa Barbara, 2017



II. The Era of “Repeal and Replace” and Facing the COVID-19 Pandemic, 2017-2020

In 2017, a new federal administration and Congress took office, marking a significant shift in the national health policy dialogue. Despite six years of progress in California and the nation in expanding coverage and consumer protections under the Affordable Care Act, the new federal administration and Congressional leaders undertook an effort to “repeal and replace” the law, bringing a great deal of uncertainty about the future of health insurance in America.

Throughout these four years of instability surrounding the Affordable Care Act and marketplaces across the nation, California led once again. Covered California served as a proving ground for the law, helping to inform policy makers about the importance of the law in ensuring Californians and Americans have access to affordable coverage.



Covered California supporters march in the Martin Luther King Jr. Day parade

Covered California leadership regularly traveled to Washington D.C. to meet with congressional leaders and share the lessons learned in the Golden State through informative meetings and testimony at Congressional hearings.





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News Release

Jan. 10, 2017

New Study Shows Covered California Consumers Saving and Paying Much Less Than Expected for Quality Health Care Coverage

Jan. 26, 2017

New Study Shows Rising Premiums and Hundreds of Millions Added to Federal Budget if Funding to Reduce Patients' Cost-Sharing Changes

Apr. 27, 2017

New Analysis Shows Potentially Significant Health Care Premium Increases and Drops in Coverage if Federal Policies Change

Jun. 21, 2017

New Analysis Shows That Coverage That Is Being Promoted as Part of Proposals in Washington Would Put Coverage Out of Reach for Many Americans

Jun. 28, 2017

New Analysis Shows the Better Care Reconciliation Act Would Mean Dramatically Higher Costs for Most Consumers, Putting Care Beyond Reach of Many

Sep. 25,, 2017

New Analysis Shows the Graham-Cassidy Plan Would Force Millions to Lose Coverage and Threatens to Collapse California's Individual Market

Oct. 11, 2017

Covered California Keeps Premiums Stable by Adding Cost-Sharing Reduction Surcharge Only to Silver Plans to Limit Consumer Impact

Administrative and Congressional Efforts to Repeal, Replace and Undercut the Affordable Care Act

From 2017 to 2020, numerous legislative and regulatory actions were taken to undermine and weaken the law. In 2017, the House of Representatives introduced the American Health Care Act, and the Senate advanced its own replacement bill, the Better Care Reconciliation Act. Both bills sought to repeal core elements of the Affordable Care Act, but neither was able to secure the votes needed to pass in Congress.

The Senate also attempted to pass less controversial bills, including a “skinny” repeal bill entitled the Health Care Freedom Act, which failed passage with Sen. John McCain’s famous “thumbs down” on the measure. Senate amendments, commonly referred to as the Graham-Cassidy bill, would have repealed major Affordable Care Act provisions, including the individual mandate and cost-sharing reductions, and replace federal funding for key provisions like the Medicaid expansion with state block grants. This measure also failed.

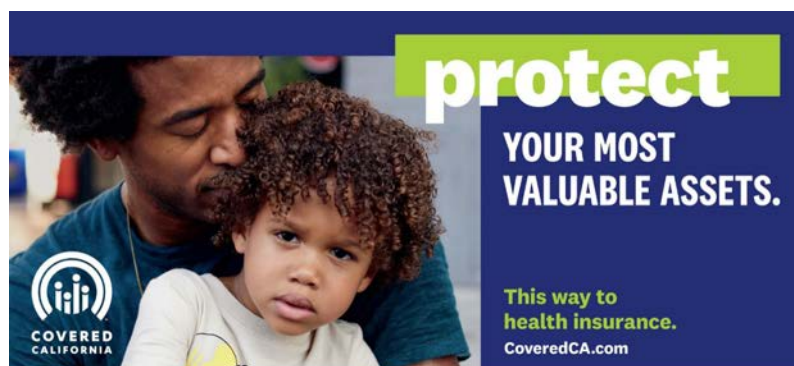
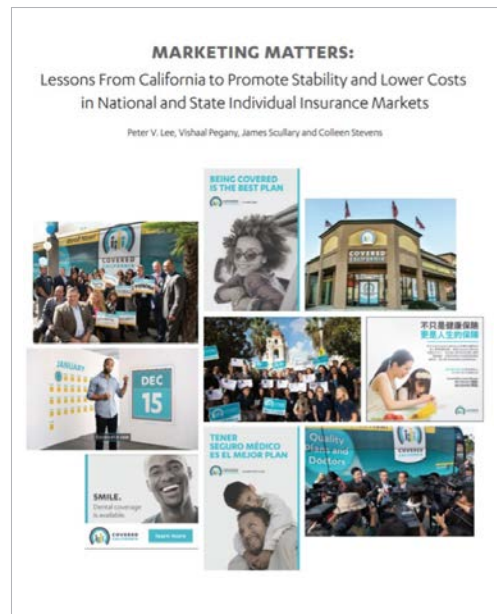
While all these legislative attempts to repeal and replace the Affordable Care Act, one measure passed at the end of 2017: the Tax Cuts and Jobs Act, which effectively nullified the individual mandate penalty by setting it to \$0 starting in 2019. Additionally, executive and regulatory actions taken by the federal administration chipped away at the law. These actions included reducing federal funds for marketing and outreach, which undercut enrollment in the federal marketplace; virtually eliminating funding for the federal Navigator program; and promoting short-term, limited-duration insurance policies and other arrangements that exclude consumers based on health status, limit benefits and carve consumers out of the common risk pool that helps foster a healthy risk mix and lower premiums.

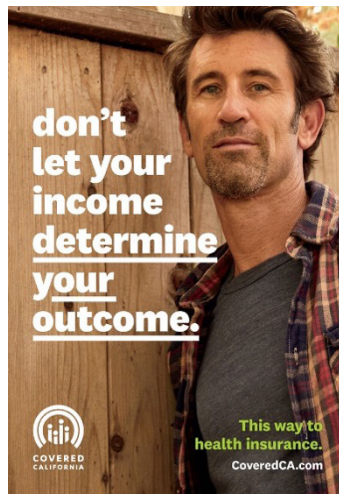
California’s Response: Protecting Consumers and Informing the National Health Policy Dialogue

In stark contrast to federal efforts to undo the Affordable Care Act, California continued to not only fully embrace the law, but also to act to counter federal policies at the state level. As a result of bold actions by state leaders and support from stakeholders committed to assuring access to coverage and care, California continued to protect and build on the law that helped millions of people and sought stabilization at a time of great uncertainty.

- **Bolstering Marketing and Outreach**

While the federal administration dramatically reduced federal spending on marketing and outreach, Covered California continued to make evidence-based investments to promote enrollment and lower premiums. To inform policy makers on the importance of marketing and outreach to promote enrollment, Covered California released the report “Marketing Matters: Lessons From California to Promote Stability and Lower Costs in National and State Individual Insurance Markets.” The report showed that Covered California’s extensive marketing and outreach spending, which was over \$100 million in 2017, created one of the best take-up rates and lowest risk scores in the nation. The larger and healthier enrollment translated to 20 percent lower premium costs — representing marketplace premium savings of \$2.6 billion for 2015 and 2016 — and reduced premiums those same years by 6 to 8 percent.





- **Innovation With “Silver Loading” to Keep Care Within Financial Reach**

The federal administration’s action to eliminate funding for cost-sharing reductions in 2017 threatened higher out-of-pocket costs for millions of lower-income consumers and the exit of health insurance carriers from Covered California and marketplaces throughout the nation. In California alone, the federal action would have resulted in an estimated annual reduction of \$750 million in federal funds, with health insurance carriers having to bear the loss in order to keep cost-sharing reductions available to people in need. Covered California responded by implementing a new “Silver loading” workaround that allowed health insurance carriers to build the cost of the cost-sharing reduction program into Covered California’s Silver plan premiums to keep carriers in the marketplace and protect consumers’ access to needed savings on their out-of-pocket costs. This workaround was at least partially used in 30 states.

- **Ensuring Enrollment Access With a Longer Open-Enrollment Period**

In April 2017, the federal administration adopted the “Market Stabilization Rule,” which required all health insurance exchanges to cut open-enrollment periods in half, from 90 days to 45 days, leaving consumers less time to compare plans and enroll. In response, California enacted legislation to codify a three-month enrollment period for consumers to enroll. That 90-day period still stands today.

- **Banning Junk Insurance Products**

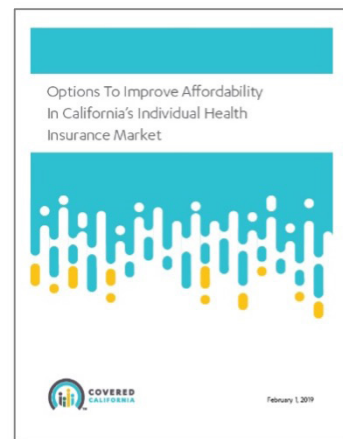
The federal administration promoted the sale of short-term, limited-duration insurance; unregulated health care sharing ministries; and Association Health Plans, all of which exclude benefits, exclude consumers based on health status, have pre-existing conditions and set coverage limits. California responded with

laws to ban the sale of short-term, limited-duration insurance in the state and prohibited small businesses and self-employed people with no employees from enrolling in Association Health Plans. Covered California also adopted policies to require its certified agents to disclose the number of health care sharing ministries they sell and to inform consumers about the comprehensive coverage and consumer protections provided through the Affordable Care Act.

California Leadership Builds on the Affordable Care Act: State Subsidies and Penalty

In the continued effort to keep markets stable and ensure that coverage stayed within reach of consumers, California took major steps to not only protect the Affordable Care Act, but to build on it.

In 2019, Covered California, in consultation with a robust workgroup composed of legislative staff, consumer advocates, health insurance carriers and other stakeholders, issued “Options to Improve Affordability in California’s Individual Health Insurance Marketplace,” a report to the governor and Legislature outlining options to improve health insurance affordability for low- and middle-income Californians. The report helped inform state budget actions that year, which established state-funded premium assistance subsidies for eligible Californians with household incomes at or below 600 percent of the federal poverty level. In addition to further reducing premium costs for low-income consumers, the state subsidies provided financial help to those with middle incomes — above 400 percent of the federal poverty level — a first in the nation.



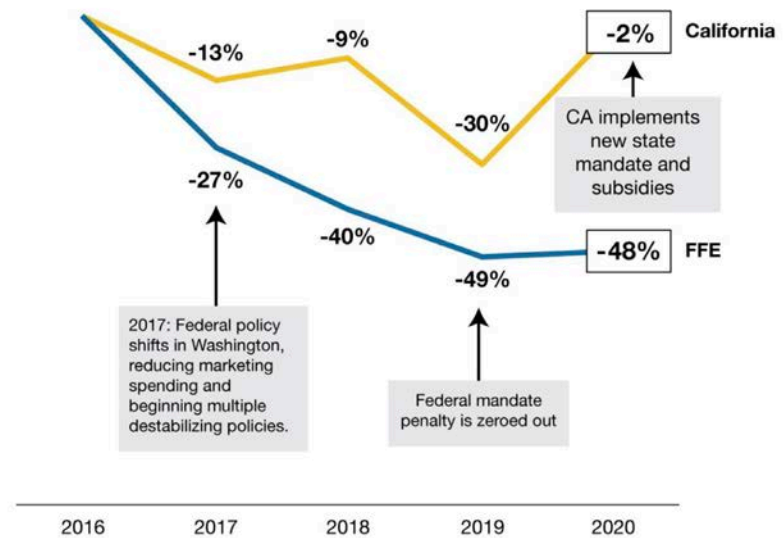
Responding to the federal nullification of the Affordable Care Act’s individual mandate, California’s governor and Legislature also enacted a state-level mandate to preserve market stability, promote a healthy risk mix of consumers and lower premiums. As a result of the action, Californians would be required to have minimum essential coverage or face a penalty when they file their state taxes.

The positive impact of these policies showed early. In July 2019, Covered California announced that the statewide average premium rate change for 2020 would be only 0.8

percent, the lowest increase since Covered California's launch. This was largely due to the new state subsidy and penalty, which provided health insurance carriers greater assurance of market stability, particularly during a time when the Affordable Care Act was still being challenged at the federal level. Restoring the individual mandate was a key factor, driving 2020 premiums lower by between 2 and 5 percent per carrier with an average premium reduction of 3.2 percent.

The new state subsidy and penalty also had a positive impact on new enrollment in 2020. Over 418,000 Californians newly signed up for health plans during open enrollment for 2020 coverage, which was a 41 percent increase over 2019 and the highest new enrollment total since 2016. The new state subsidies and penalty

Comparing New Enrollment in Covered California and the Federally Facilitated Marketplace, 2016 to 2020



were key components that led to this high enrollment, and the strong total showed how California was building on the Affordable Care Act — in contrast to federal policies that led to higher premiums and millions losing coverage.

The higher level of new enrollment could not have come at a better time, given the unexpected impact that a global pandemic would soon have.



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News Release

Jul. 9, 2019

California Initiatives Will Lead to Hundreds of Thousands Gaining Health Care Coverage With Lower Premiums and New Financial Help

Oct. 17, 2019

California Launches Open Enrollment With New Initiatives That Make Health Insurance More Affordable for Millions

Nov. 4, 2019

Covered California Begins Statewide Marketing and Outreach Campaign to Promote Open Enrollment for 2020 and Launches New Television Ads to Promote State Subsidies

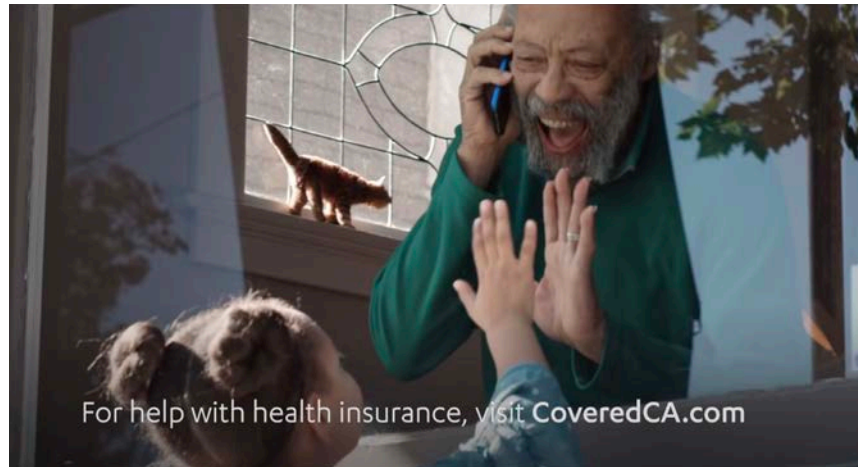
Stepping up for Consumers during the COVID-19 Pandemic

In early 2020, the crisis caused by the COVID-19 pandemic reshaped our lives. As California grappled with protecting public health, and the state's economy faced one of its largest economic challenges in history, the need to provide access to coverage and care was clearer than ever before. California sprang into action.

In March 2020, Covered California worked to promote enrollment at a time when Californians needed health coverage the most. Covered California opened the marketplace through a new special-enrollment period to allow any eligible individuals to

enroll in Covered California or Medi-Cal. In partnership with the Department of Managed Health Care and the California Department of Insurance, the special-enrollment period applied across the entire individual market.

In May 2020, Covered California launched a new ad campaign focused on the COVID-19 pandemic, encouraging people without health insurance to sign up for coverage during



the current special-enrollment period. The ads, which were filmed and produced during California's efforts to stay at home, feature real-life neighbors and friends who were keeping their communities safe by social distancing.

Covered California increased its annual budget to \$440 million for FY 2020-21 and increased marketing and outreach to connect with consumers during the recession and ongoing pandemic. More than \$157 million was devoted to marketing, sales and outreach, part of which included new television ads to encourage the uninsured to enroll. Covered California also allocated \$13 million to additional customer service upgrades to meet the needs of people who lost their job-based coverage.

Covered California's competitive marketplace and its commitment to promoting enrollment helped California maintain one of the healthiest consumer pools in the nation and led to another record-low rate change. The weighted average rate increase for the 2021 plan year would be just 0.5 percent, and once again many consumers would be able to reduce their premiums if they switched to the lowest-cost plan in the same metal tier.

By the end of July 2020, California recorded 8.7 million unemployment claims, translating to an estimated 1.4 million workers and their dependents who may have lost their employer-sponsored coverage. In response, Covered California joined California's Employment Development Department (EDD) to inform unemployment claimants that they may be eligible to enroll in Covered California or Medi-Cal. Covered California

produced over 20 million inserts to the EDD for distribution to people who lost their jobs and their employer-sponsored coverage.

Serving as a Safety Net During a Time of Crisis

In September 2020, Covered California announced it had a record-high 1.53 million enrollees, the highest figure since the marketplace opened in 2014. Building on its marketing, outreach and promotion of the COVID-19 special-enrollment period, almost 290,000 Californians signed up for health insurance since the start of the pandemic in March 2020, more than twice the number that had signed up during the same period in the prior year. The new enrollment served as a reflection of the safety net that marketplaces can be when needed. (see below).

Covered California Special Enrollment Plan Selections, 2019-2020

Measures	2020	2019	Difference (2019 to 2020)	Percent Change
Pre-COVID SEP (Feb. 1 to March 19)	67,710	54,780	12,930	24%
Post-COVID SEP (March 20 to Aug. 31)	289,460	134,700	154,760	115%
Total (as of August 31)	357,170	189,470	167,700	89%

In contrast to the enrollment growth seen in California, the federally facilitated marketplace saw only a 27 percent increase in the number of consumers signing up for coverage through the end of May. The federal administration opted against a special-enrollment period specific to COVID-19 and cut back on marketing and outreach. Covered California issued an analysis finding that an additional 500,000 Americans would have been insured during the pandemic if the federally facilitated marketplace states had experienced California's trend for new signups in 2020.

The overall success of California's policies and outreach, in the face of a pandemic and federal headwinds, strengthened the Affordable Care Act and put Covered California in a position to expand coverage even further with a new administration.

RIGHT: President Joe Biden signs the American Rescue Plan into law, which helped people get covered and stay covered during the pandemic. March 11, 2021 (Courtesy White House, Adam Schultz)





III. Building on the Affordable Care Act, Now and in the Future: 2021 and Beyond

Covered California entered 2021 with a new federal administration and Congress in place that were very supportive of the Affordable Care Act. The focus of federal policies returned to expanding coverage and protecting consumers, particularly in light of the ongoing pandemic, with a renewed priority of building on the health care law.

The American Rescue Plan: Increasing Financial Help and Expanding Coverage

The federal government responded to the COVID-19 pandemic with the American Rescue Plan, a landmark piece of legislation that provided new and expanded financial help for people enrolled in coverage through Affordable Care Act marketplaces like Covered California. The law supports low- and middle-income Americans affected by the prolonged pandemic by lowering health insurance premiums for millions of people,



News Release

April 12, 2021

Covered California Opens the Doors for Millions of Californians to Benefit From Lower Health Care Premiums, Save Money and Stimulate the Economy Through the American Rescue Plan

April 21, 2021

California's Largest Public Health Care Purchasers Unite to Address Gaps in Childhood Immunizations and Colorectal Cancer Screenings Due to the COVID-19 Pandemic

May 20, 2021

Covered California's Enrollment Surges as People Sign Up to Benefit From the New Financial Help and Lower Premiums Now Available Through the American Rescue Plan

Sept. 8, 2021

Covered California Opens Special Enrollment for Thousands of Californians Whose Federal COBRA Subsidies Expire at the End of September

June 21, 2021

Covered California Sets New Enrollment Record as Thousands Get Lower Premiums From the American Rescue Plan as June Deadline Approaches

July 28, 2021

Covered California Announces 2022 Plans: Full Year of American Rescue Plan Benefits, More Consumer Choice and Low Rate Change

including many who had never been eligible for federal financial help before, and by making coverage more affordable than ever.

The American Rescue Plan improves marketplace access and affordability, including three key provisions that affect Covered California:

1. Subsidy enhancements that lower the required contribution percentage to no more than 8.5 percent of household income and eliminate the subsidy cliff for the years 2021 and 2022.
2. Increased subsidy amounts and eligibility for cost-sharing reductions for those receiving unemployment insurance benefits for the year 2021.
3. Protection for taxpayers from repayment of excess Advanced Premium Tax Credit at reconciliation for tax year 2020.

Covered California moved quickly to implement the additional federal subsidies by launching a new special-enrollment period in April 2021 for people who were still uninsured. The increased financial help led to a surge in enrollment, as more than 309,000 Californians signed up for coverage between April 12 and Aug. 31, at a rate that was twice as high as in the same time period pre-pandemic.

Covered California also opened a special-enrollment period for Californians who lost federal financial help that allowed them to continue receiving health insurance through the Consolidated Omnibus Budget Reconciliation Act, better known as COBRA. Under one provision of the American Rescue Plan, Californians were eligible for financial help that paid 100 percent of their COBRA premiums from April 1 through Sept. 30, 2021. Covered California estimated that 138,000 people lost their COBRA subsidies and would be eligible to enroll in comprehensive coverage offered by one of 11 brand-name carriers.

In addition, Covered California successfully enacted a provision of the American Rescue Plan that enabled hundreds of thousands of people who received unemployment insurance benefits in 2021 to also get the richest level of coverage that Covered California offers, known as Silver 94 plans, for as little as \$1 per month. The benefits of these plans include \$5 copays to see a primary care provider, outpatient services that are not subject to a deductible, an annual deductible of \$75 and other cost-sharing benefits that lower the cost of coverage and increase access to care.

Approximately 10 percent of Covered California's enrollees — about 141,000 people — indicated they received unemployment insurance benefits in 2021, meaning thousands more could be eligible for this new benefit. Covered California partnered with the Employment Development Department to inform unemployment insurance benefit recipients of the new subsidies available.

Expanded Choice and Low Rate Changes

The American Rescue Plan not only spurred enrollment, but it also added a stabilizing force to the marketplaces as America continued to weather the pandemic. In California, the increased enrollment continued contributing to the state's having one of the healthiest consumer pools in the nation.

Data from the Centers for Medicare and Medicaid Services shows that California had the second-lowest "state average plan liability risk score" in the nation in 2020, which marked the seventh straight year that it has been among the top five states in fostering healthy enrollment in the individual market. Over the period from 2020 to 2022, Covered California carriers have said that the improved risk mix from new enrollment has helped lower premiums by 3 to 5 percent.

A healthy consumer pool resulted in a low rate change for a third straight year. The average rate increase for the 2022 coverage year was 1.8 percent, and applied to approximately 2.3 million people, including the 1.6 million enrolled through Covered California and those enrolled "off-exchange" who sign up directly through a health insurance carrier.

As a result, California's three-year average rate increase was just 1.1 percent. The three-year period marked the launch of California's state subsidy program, the promotion of coverage to address the needs of those losing insurance due to the COVID-19 pandemic, and the rollout of the American Rescue Plan.

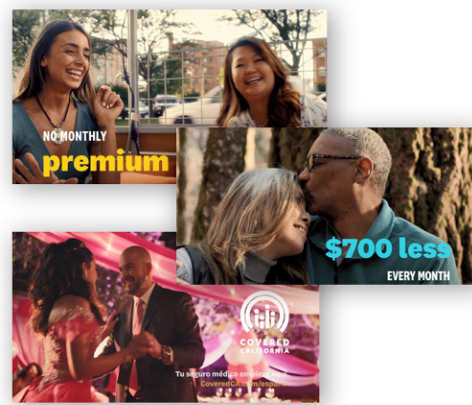
The combination of increased enrollment and a healthy consumer pool helped prompt carriers to expand the areas they cover throughout the state, with Covered California allowing a twelfth carrier to join the exchange. As a result, all Californians now have two or more carrier choices in 2022, 94 percent are able to choose from three carriers or more and 81 percent of Californians have four or more choices.

Increased Financial Help Leads to Record-High Enrollment

With more financial help available than ever before, Covered California welcomed Secretary Xavier Becerra of the U.S. Department of Health and Human Services to officially launch open enrollment across the nation for the 2022 coverage year.

Covered California also announced a new statewide marketing campaign geared toward enrolling Californians of all races, ethnicities, income levels and genders.

The campaign, titled “This Way to Health Insurance,” aired in English, Spanish, Mandarin, Cantonese, Korean and Vietnamese. The ads focused on affordability, highlighting the savings that many Californians could experience, as well as the importance of staying healthy for yourself and your family.



The extensive marketing and outreach resulted in enrollment climbing throughout the year, and Covered California ended the open-enrollment period for the 2022 coverage year with a record-high 1.8 million people enrolled. The surge was driven by the increased affordability, which allowed two-thirds of enrollees to sign up for \$10 or less per month.



U.S. HHS Secretary Xavier Becerra joins Covered California to launch open enrollment across the nation. Nov. 1, 2021.



Covered California's outreach included a "virtual" bus tour, which targeted specific regions and languages throughout the state.



Dr. Alice Chen, Chief Medical Officer, with leading physicians at virtual open enrollment media event. 2021

The Affordable Care Act Stands After Latest Challenge in the U.S. Supreme Court

In addition to the record enrollment, Covered California and the rest of the Affordable Care Act marketplaces were allowed to continue serving millions of Americans as the law withstood its third legal challenge before the U.S. Supreme Court. In February of 2018, 20 Republican state attorneys general and Republican governors filed a lawsuit initially known as *Texas v. United States*. In this suit, the plaintiffs wanted to revisit *National Federation of Independent Businesses v. Sebelius*, wherein the Supreme Court, in a 5-4 vote, upheld the individual mandate as constitutional. In that decision from 2012, the individual mandate was construed as a tax, concluding that it was valid under Congress's authority to tax and spend. In *Texas v. United States*, the plaintiffs argued that the individual mandate was unconstitutional after the Tax Cuts and Jobs Act of 2017, in which Congress set the penalty for not purchasing minimum essential coverage to \$0.

From the beginning of the lawsuit, the prior federal administration refused to defend the Affordable Care Act. A group of Democratic attorneys general led by California intervened to defend the law in court given the then-federal administration's refusal to do so. The case was now called *California v. Texas*.

The U.S. Supreme Court began hearing oral arguments in *California v. Texas* on Nov. 10, 2020. The case centered on the question of whether Congress's decision to reduce the individual mandate penalty to \$0 invalidated the entire law. A decision to invalidate the

Affordable Care Act could have a significant effect on consumers by jeopardizing the federal subsidies that help bring the cost of health insurance within reach of millions of Americans, the protections for the 133 million Americans with pre-existing conditions, the Medicaid expansion, Medicare prescription savings, critical health programs to fight the COVID-19 pandemic and a range of other programs. California's then-Attorney General Xavier Becerra led a coalition of 20 states and the District of Columbia in defending the Affordable Care Act.

On June 17, 2021, the Supreme Court rejected the challenges to the constitutionality of the Affordable Care Act, finding that those challenging the law did not have standing to bring the action. This was the third time the Supreme Court had acted to uphold the Affordable Care Act. In doing so, it upheld the law that is helping millions of Americans benefit every day from health care coverage and broad consumer protections. Covered California's good work over the past years in effectively implementing the Affordable Care Act and helping millions get and keep health coverage has been a major contributing factor to this case and the fact that most Americans support the core elements of the Affordable Care Act.

Making a Difference in California and Across the Nation

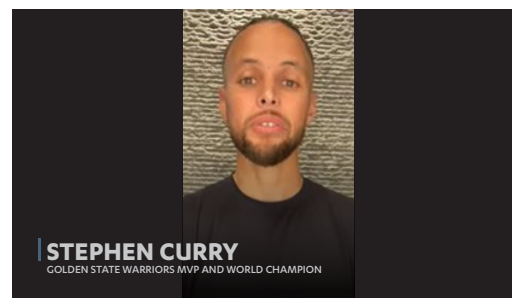
Covered California also continued to leverage its position as the largest state-based marketplace in the nation to improve the quality of care delivered and make a difference in the lives of millions, not only in California, but across the nation.

The open-enrollment period for the 2021 coverage year, which was the first held during the pandemic, was centered around the theme of "Get Covered, Stay Covered." The statewide campaign encouraged





L.A. Mayor Eric Garcetti urging all to "Get Covered and Stay Covered."



Left: Celebrity ambassadors promote Get Covered 2021 national campaign.



Californians to protect themselves, their families and their friends from COVID-19 by wearing a mask and signing up for health insurance. The effort included sending face masks, emblazoned with the message “Get Covered, Stay Covered,” to every Covered California enrollee who renewed their coverage, as well as new enrollees. The masks quickly became prominent across the state, worn everywhere from small communities to the highest levels of government.

Covered California also played a leading role in national enrollment efforts through the “Get Covered 2021” campaign, which amplified the importance of health care coverage during the pandemic. The campaign brought together more than 100 of the nation’s leading health organizations, community groups, states, celebrities and professional athletes to encourage enrollment. In addition to national media events, a social media day of action generated more than 200 million impressions thanks to testimonials from celebrity ambassadors like Steph Curry, Sarah Silverman, George Takei, Mark Hamill, Alyssa Milano, Steve Kerr, Adrian Gonzalez and others.

Policies Designed to Improve Care and Address Inequities

In 2022 and the future, Covered California is working on and supporting efforts to improve care and address health care inequities for all Californians. Among the many policies implemented and in development are the following:

- **\$1 Premium Subsidy Program**

California’s state budget appropriated \$20 million for a \$1 per member, per month premium subsidy to bring the premiums for many Covered California consumers to \$0 starting in 2022. Covered California implemented this policy change with technology partners and health insurance carriers for necessary system changes and carrier payment processes.

- **Auto-Enrollment of Individuals Who Lose Medi-Cal Coverage**

California Senate Bill 260 (Chapter 845, Statutes of 2019) directs Covered California to automatically enroll individuals who lose Medi-Cal coverage and gain eligibility for subsidized coverage. These individuals will be enrolled in the lowest-cost Silver plan available, unless Covered California has information that enables enrollment with the individual’s previous managed care plan. Covered California is currently planning for this implementation, starting with a pilot phase.

- **Move Certain Bronze Members to Silver Plans**

Covered California commissioned a rapid-cycle research project in June 2021 to inform the implementation of the American Rescue Plan provisions related to the health insurance marketplace. From that research, Covered California is currently planning a new policy that will automatically move certain enrollees from a Bronze plan to a Silver plan. This policy will allow eligible enrollees to receive Platinum-level coverage with no monthly premium.

- **Partnering With Purchasers to Address Preventive Care**

Covered California is working closely with other public purchasers like the Department of Health Care Services (DHCS) and the California Public Employees' Retirement System (CalPERS) in addressing gaps in preventive care created by the COVID-19 pandemic and will pay specific attention to racial and ethnic disparities that have been exacerbated by the pandemic. Covered California will require its 12 health insurance companies to reach pre-pandemic levels of childhood immunizations and colorectal cancer screenings by the end of 2021 and to exceed those numbers by the end of 2022. Additionally, Covered California, DHCS and CalPERS are working closely on exploring ways to improve behavioral health for all Californians. It is working with the Purchaser Business Group on Health to develop a set of quality measures to support enhanced payments for advanced primary care.

- **Carrier Contract Refresh for 2023-2025**

While Covered California builds on the robust competition and stability of its marketplace, it will continue to be consumer-centric as it considers adding or removing carriers. Covered California will be launching a Quality Transformation Initiative in 2023, which will tie financial contributions to poor performance on key quality measures like colon cancer screenings and diabetes control. Covered California is currently refreshing the health equity, quality and delivery system transformation requirements for the new 2023-2025 contract period. The requirements will increase focus on data and outcomes, promote alignment with other public purchasers, and emphasize the following key strategic priority areas: disparities reduction, behavioral health, effective primary care, affordability and cost, and data exchange.

- **Holding Health Insurance Carriers Accountable**

Covered California will continue its work to improve the quality of care that is delivered to consumers and to address the health care disparities that negatively affect many communities of color across the state.

- **Focus on Health Equity and Quality With a Newly Created Division**

Covered California established a new division, the Health Equity and Quality Transformation Division (HEQT), under the leadership of the chief medical officer. In partnership with stakeholders and purchaser partners, the HEQT division provides expertise and analysis — and holds health plan carriers accountable — so that Covered California enrollees and all Californians receive high-quality, equitable care to improve their health.

Most recently, the HEQT Division is conducting the Quality Transformation Initiative (QTI) program, which will launch in 2023. The goals of the QTI include the following:

- o Strengthening the incentives for health insurance companies to provide the best possible care by creating a more compelling “business case for quality.”
- o Encouraging enrollees to choose higher-performing plans (further strengthening the incentive for plans to improve).
- o Creating a fund that provides transformative investments to improve care for all, reduce disparities and narrow the gap in quality across providers. The fund will be supported by financial contributions by the carriers’ failing to meet key quality metrics. Funds from the program will be used to help performance improvements.
- o Selecting “core measures” aligned to the extent possible with other major purchasers to signal critical areas of attention more effectively for the delivery system.

- **Diversity, Equity and Inclusion**

Covered California is continuing its efforts on diversity, equity and inclusion within the organization. Covered California formed an internal workgroup that will continue to provide advice, guidance, critical thinking and recommendations to ensure Covered California continuously embraces and establishes ongoing processes that

assure diversity and inclusion at all levels of the organization. Covered California recently entered into a contract with Deloitte to help the organization reach its organizational goals on diversity, equity and inclusion.

The Next 10 Years

The fall of 2022 will mark Covered California's tenth open-enrollment period. The organization will continue to seek to fulfill its mission to increase the number of insured Californians, improve health care quality, lower costs and reduce health disparities through an innovative, competitive marketplace that empowers consumers to choose the health plan and providers that give them the best value.

With those goals in mind, the exchange plans to unveil new contract terms with its qualified health plans that establish quality standards aimed at improving the quality of care that Californians receive. Carriers whose products repeatedly fail to meet these standards will face financial consequences and be required to submit action plans on how they propose to deliver better care for Californians. Finally, if the action plans are not sufficient to improve the quality of care, the new contracts will allow Covered California to remove those products from the marketplace.

The new contracts will cover the 2023-2025 coverage years as Covered California continues to lead by example and serve as an innovative organization that puts its customers first.

Covered California's first 10 years have been marked with significant milestones and achievements that have enabled the exchange to provide health insurance to millions of Californians and help transform the health care market in important and lasting ways. With the support of countless individuals and organizations, Covered California has been able to continuously innovate and strive to meet the needs of consumers. As we look to the next 10 years, we remain steadfast in our mission, grounded in our vision and committed to further transformation of the marketplace and health care system. Everything we do is rooted in service to consumers, and we look forward to another decade of meaningful work on their behalf.



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