

**PENNSYLVANIA HEALTH INSURANCE EXCHANGE AUTHORITY
NONDISCRIMINATION POLICY**

Introduction

The Pennsylvania Health Insurance Exchange Authority d/b/a Pennie (Pennie) is established pursuant to Act 42 of 2019, 40 Pa.C.S. § 9101-9703, and the Patient Protection and Affordable Care Act (ACA), 42 U.S.C. § 18001 *et seq.* Pursuant to section 1557 of the ACA and its implementing regulations, discrimination is prohibited in certain health programs and activities based on race, ethnicity, color, national origin, sex, sexual orientation, age, or disability. 42 U.S.C. § 18116; *see also* 45 C.F.R §92.1 *et seq.*

Pennie complies with federal and state civil rights laws and does not discriminate based on race, ethnicity, color, national origin, sex, sexual orientation, age, or disability. Pennie does not exclude people or treat them differently and is committed to ensuring equal treatment with respect to its health programs and activities, regardless of race, ethnicity, color, national origin, sex, sexual orientation, age, or disability. This statement documents the designation of the 1557 coordinators, who are responsible for coordinating compliance efforts and the grievance procedures established pursuant to section 1557 of the ACA.

Policy Statement

It is the policy of Pennie to ensure that all Pennie health programs and activities are carried out in a manner that does not discriminate on the basis of race, ethnicity, color, national origin, sex (including, but not limited to, sexual orientation and gender identity), age, or disability. Pennie does not exclude people from participation in, deny them the benefits of, discriminate against, or treat them differently when enrolling in any health program or activity because of any of these protected traits.

Pennie is dedicated to ensuring its communications are effective for all participants. It is the policy of Pennie to provide free support and services to people with a disability to ensure they can get the information they need to access health insurance through Pennie. Pennie will provide free language access services to people whose primary language is not English to ensure they can get the information they need to access health insurance through Pennie. Pennie will furnish the appropriate auxiliary aid when necessary to afford individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of Pennie's programs.

Grievance Process

1. If you require any assistance, please contact Pennie's customer service call center at (884) 884-8040 or TTY 711.
2. If you believe that Pennie has failed to provide you with appropriate services, assistance, or discriminated against you in another way based on race, ethnicity, color, national origin, sex, sexual orientation, age, or disability, you can file a grievance. Grievances must be

filed with Pennie or the Department of Health and Human Services within sixty (60) days of the date you became aware of the alleged discriminatory action. Grievances must be in writing, they must contain the name and address of the person filing the grievance, they must state the problem or action alleged to be discretionary, and the remedy or relief sought. Grievances may be filed with Pennie by mail or email to the following:

Compliance Officer
Pennsylvania Health Insurance Exchange Authority
312-318 Strawberry Square, Bowman Tower, Fl. 3
Harrisburg, PA 17101
RA-IN-SBEINFO@pa.gov

If you require assistance, the Compliance Officer can assist you in submitting a grievance.

3. Pennie will investigate all grievances received. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Compliance Officer will maintain the files and records of Pennie relating to such grievances. To the extent possible, and in accordance with applicable law, the Compliance Officer will take appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.
4. The Compliance Officer will issue a written decision on the grievance no later than thirty (30) days after its filing.

The availability and use of this grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including, but not limited to filing a complaint of discrimination on the basis of race, ethnicity, color, national origin, sex, sexual orientation, age, or disability in court or with the United States Department of Health and Human Services, Office for Civil Rights. A person can file a complaint of discrimination electronically through the Office for Civil Rights Complaint Portal, which is available at:

<https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

United States Department of Health and Human Services
200 Independence Avenue, SW
Room 509F, HHH Building
Washington, D.C. 20201

Implementation

Pennie's Executive Director will appoint Pennie's Compliance Officer, who will serve as its Section 1557 Coordinator.

The Compliance Officer will monitor compliance with this policy and will report matters to the Executive Director and Pennie's Chief Counsel.

Consistent with this policy, all Pennie employees are responsible for ensuring compliance with applicable nondiscrimination laws.