



Working with Navigators and Other Assisters

Centers for Medicare & Medicaid Services (CMS)
Center for Consumer Information & Insurance Oversight (CCIIO)

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The information provided in this presentation is intended only as a general, informal summary of technical legal standards. It is not intended to take the place of the statutes, regulations, and formal policy guidance that it is based upon. This presentation summarizes current policy and operations as of the date it was presented. Links to certain source documents have been provided for your reference. We encourage audience members to refer to the applicable statutes, regulations, and other interpretive materials for complete and current information about the requirements that apply to them. The contents of this document do not have the force and effect of law and are not meant to bind the public in any way, unless specifically incorporated into a contract. This document is intended only to provide clarity to the public regarding existing requirements under the law.

This document generally is not intended for use in the State-based Marketplaces (SBMs) that do not use HealthCare.gov for eligibility and enrollment. Please review the guidance on our Agent and Broker Resources webpage (<http://go.cms.gov/CCIIOAB>) and Marketplace.CMS.gov to learn more.

Unless indicated otherwise, the general references to “Marketplace” in the presentation only include Federally-facilitated Marketplaces (FFMs) and State-based Marketplaces on the Federal Platform (SBM-FPs).

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Assister Types

Certified Application Counselors & Navigators



- » The Center for Consumer Information & Insurance Oversight (CCIIO) oversees two types of enrollment assisters that operate in states with an FFM: Certified Application Counselors (CACs) and Navigators.
- » CACs and Navigators have similar responsibilities and training; each must be certified and complete annual federal training.
- » However, Navigators are held to a higher regulatory standard and must also provide education and outreach to consumers, especially the vulnerable and underserved, about basic concepts and rights of health coverage and how to use it. They must also provide information and assistance to consumers with regard to certain post-enrollment topics.
- » CACs and Navigators must comply with all applicable federal regulations, and applicable state standards as long as any state-specific requirements do not prevent application of the provisions of Title I of the Affordable Care Act.

Certified Application Counselors & Navigators



- » Individuals may not hold themselves out as Navigators, or perform Navigator functions in an FFM, unless they are affiliated with a current CMS Navigator grantee and have a current certification that accurately reflects that affiliation (or are themselves a current CMS Navigator grantee).
- » CDOs are responsible for certifying individual CACs who are associated with the CDO (as specified in the agreements between CMS and CDOs in the FFMs). CACs must enter into an agreement with the CDO.
- » Funding sources are different for CACs and Navigators. Navigators are statutorily funded through cooperative agreements by CMS. CACs are certified through certified application counselor designated organizations (CDOs) approved by, but not funded by, CMS.

State-Based Assisters



- » CCIIO is responsible for oversight of assisters in the 30 states with an FFM.
- » States that run SBMs or SBM-FPs are responsible for the oversight, regulation, and certification of their state-based enrollment assisters.

Assister Requirements

Federal Requirements for Navigators and CACs



- » All assisters in states with an FFM are prohibited from receiving consideration directly or indirectly from health insurers or stop-loss insurance issuers in connection with the enrollment of any individuals into qualified health plans (QHPs) or non-QHPs.
- » Assisters in states with an FFM are required to disclose to consumers certain relationships they may have with health insurance issuers and insurance affordability programs.
- » Assisters in states with an FFM are required to provide information in a fair, accurate, and impartial manner.
- » Assisters must inform consumers about all of the QHPs and insurance affordability programs for which they are eligible.
- » All assisters in states with an FFM must help all persons who ask for their assistance. For CACs, this can include referring the consumer to a Navigator, Find Local Help, or to agents or brokers, if requested by the consumer.

Prohibitions on Assistors Working with Agents and Brokers in the FFM



- » Assistors cannot endorse specific agents and brokers or refer consumers to specific agents and brokers.
- » Assistors cannot accept consideration of any kind (direct or indirect, cash or in-kind), including from an agent or broker that could be tied to the compensation received by an agent or broker from a health insurance or stop loss insurance issuer for enrolling a person in a QHP or non-QHP.
- » Assistors cannot use or rely upon the services of agents and brokers as substitutes for performing any of their federally required duties.
- » Assistors must **not** refer consumers to agents and brokers as a substitute for fulfilling any of their federally required duties.
- » Assistors may **not** try to persuade a consumer to use a specific web-broker or recommend a particular web-broker or subset of web-brokers.

Prohibitions on Assisters Working with Agents and Brokers in the FFM



- » Assisters must **not** use a web-broker or issuer site when performing online application and enrollment assistance, unless it is used as a reference tool to supplement the information available on HealthCare.gov.
- » An assister entity or individual may **not** advertise or otherwise display a link or widget to a specific web-broker or issuer at its service location or on its website (as applicable).
- » Assisters may **not** host or reserve space for agents and brokers at assister service locations.

When Assisters May Inform Consumers About Agent and Broker Services



It may be appropriate for assisters to inform a consumer about services provided by agents and brokers in the following scenarios:

- » If a consumer specifically asks about the services that agents and brokers provide and expresses a desire to talk to an agent or broker.
- » If, after showing a consumer all of his or her enrollment options, the consumer expresses a desire to receive a recommendation about which plan or type of plan to choose and if agents and brokers are permitted under state law to make such recommendations.

How Assisters May Refer Consumers to Agents and Brokers



- » Assisters may refer consumers to general resources that they can use to search for an agent or broker near where they live. The Find Local help feature on HealthCare.gov has a searchable listing of agents and brokers who have registered with the FFM.
- » If, after the consumer looks at a general listing of agents and brokers and selects a specific agent or broker to contact, he or she asks for the assister's help with contacting that agent or broker, the assister may also provide that help.

Working with Agents and Brokers at Community Events



- » Assisters are permitted to attend public education, outreach, or enrollment events sponsored by a non-assister organization that includes participation by agents and brokers.
- » When inviting agents and brokers to assister-hosted public outreach, education, and enrollment events, assisters must extend invitations to all agents and brokers in a particular area.
- » Assisters may co-host events with agents or brokers so long as they pay their share of any overhead costs associated with hosting the event, such as the rental or other administrative costs associated with securing a venue for the event.

Sharing Expertise and Best Practices



- » Assistors and agents and brokers may benefit from sharing expertise and best practices with each other.
- » An assister might have experience assisting consumers who qualify for Medicaid or the Children's Health Insurance Program or specific populations (such as immigrants).
- » An agent or broker might have best practices for obtaining detailed plan information, how to recognize the distinctions among different coverage options, or different insurance companies' administrative or claims practices.
- » Nothing prohibits assistors from networking or sharing knowledge and expertise with agents and brokers or seeking out knowledge and expertise from an agent or provider.

Acronyms and Resources



Acronym	Definition
CAC	Certified Application Counselor
CDO	Certified Application Counselor Designated Organization
NAV	Navigator
CCIIO	Center for Consumer Information & Insurance Oversight
FFM	Federally-facilitated Marketplaces
QHP	Qualified Health Plan

Agent/Broker Marketplace Help Desks and Call Centers



Name	Phone # and/or Email Address	Types of Inquiries Handled	Hours (Closed Holidays)
Marketplace Service Desk	1-855-CMS-1515 1-855-267-1515	<ul style="list-style-type: none"> • CMS Enterprise Portal password resets and account lockouts • Other CMS Enterprise Portal account issues or error messages • General registration and training questions (not related to a specific training platform) • Login issues on the DE agent/broker landing page • Technical or system-specific issues related to the MLMS • User-specific questions about maneuvering in the MLMS site, or accessing training and exams 	<p>Monday-Friday 8:00 AM–8:00 PM ET</p> <p>October–November only; Saturday-Sunday 10:00 AM–3:00 PM ET</p>
Agent/Broker Email Help Desk	FFMProducer-AssisterHelpDesk@cms.hhs.gov	<ul style="list-style-type: none"> • General enrollment and compensation questions • Manual identity proofing/Experian issues • Escalated general registration and training questions (not related to a specific training platform) • Agent/Broker RCL issues • Find Local Help listing issues • Help On Demand participation instructions or questions • Report concerns that a consumer or another agent or broker has engaged in fraud or abusive conduct 	<p>Monday-Friday 8:00 AM–6:00 PM ET</p>
Marketplace Call Center Agent/Broker Partner Line	1-855-788-6275 Note: Enter your NPN to access this line. TTY users 1-855-889-4325	<p>Specific consumer application questions related to:</p> <ul style="list-style-type: none"> • Password reset for a consumer HealthCare.gov account, • SEP not available on the consumer application, or • Consumer specific eligibility and enrollment questions 	<p>Monday-Sunday 24 hours/day</p>

Agent and Broker Resources



Resource	Link
Agent and Broker Resources webpage	http://go.cms.gov/CCIIOAB
CMS Enterprise Portal	https://portal.cms.gov/
Agent and Broker FFM Registration Completion List	https://data.healthcare.gov/ffm_ab_registration_lists
Agent and Broker Marketplace Registration Tracker	https://data.healthcare.gov/ab-registration-tracker/
Find Local Help Tool	https://www.healthcare.gov/find-assistance/
Help On Demand	https://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/Help-On-Demand-for-Agents-and-Brokers.html
Agent and Broker NPN Search Tool	www.nipr.com/PacNpnSearch.htm
Issuer & Direct Enrollment Partner Directory	https://data.healthcare.gov/issuer-partner-lookup
See Plans and Prices Tool	https://www.healthcare.gov/see-plans/#/
Agent and Broker FAQs website	https://www.agentbrokerfaq.cms.gov/s/
Privacy and Security FAQ page	https://www.agentbrokerfaq.cms.gov/s/topic/0TOt000000TUeLGAW/privacy-and-security-requirements
Agent/Broker Marketplace Help Desks and Call Centers	https://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/Downloads/Agent-Broker-Help-Desks.pdf



Agents and brokers are valued partners to all of us at CMS for the vital role you play in enrolling consumers in qualified health coverage.

We thank you for the trusted advice, support, and assistance you provide throughout the year and wish you continued success during this OEP and beyond!