

Mastering the Marketplace Application for Plan Year 2024

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

October 19, 2023



Disclaimer



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.

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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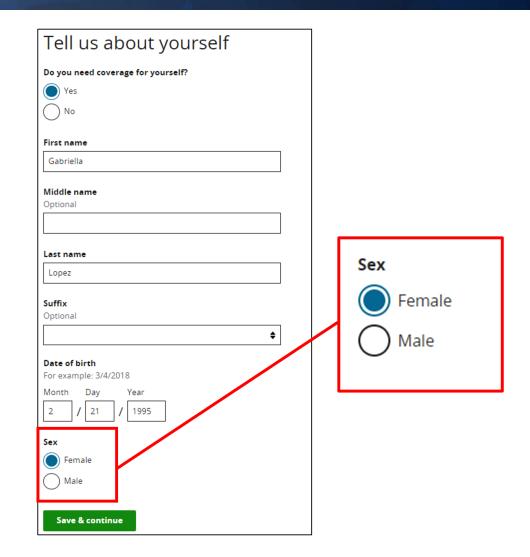
New Sexual Orientation and Gender Identity (SOGI) Questions on the Marketplace Application



Background: Current Marketplace "Sex" Question



- » Currently, the Marketplace application asks a binary "Sex" question with "Male" or "Female" response options.
- » Consumer's answer of "Female" is used to trigger questions about pregnancy, which is an eligibility criteria for Medicaid and the Children's Health Insurance Program (CHIP).
- » There will be **no changes** to the existing "Sex" question.
 - Consumer's response to this question will continue to be stored in the Marketplace system, shared with issuers if the consumer enrolls in a plan, and shared with state Medicaid/CHIP agencies if the consumer is transferred.



Marketplace "Sex" Question Help Text



Learn more about why we're asking. Female Male

How this information is used

Close

We share responses to "Sex" with the insurance company when you enroll in a plan. This information may also be shared with agencies like your state Medicaid or Children's Health Insurance Program (CHIP), if anyone in the household is eligible for these programs.

If a person is pregnant, be sure to select "Female" so that they can tell us about the pregnancy later in the application. That way, we'll make sure they're eligible for coverage to keep them and their baby healthy.

Get more information on <u>HealthCare.gov</u> about the Marketplace <u>Privacy Policy</u> and <u>how we use your data</u>.

New Marketplace SOGI Questions



- » Starting on November 1, 2023 the Marketplace will be asking three new SOGI questions on all applications starting with Plan Year 2024
 - New questions will be asked for all individuals on the application ages 12 and older
 - New questions will be optional and will be asked alongside existing race/ethnicity questions on Healthcare.gov
- » Existing required binary "Sex" question will remain on the application

Category	Question	Responses
Sex Assigned at Birth	What was [First Name]'s sex assigned at birth? You can find this on an original birth certificate or similar document. (optional, single select)	 Female Male A sex that's not listed: [free text] Not sure Prefer not to answer
Gender Identity	What's [First Name]'s gender identity? (optional, single select)	 Female Male Transgender female Transgender male A gender identity that's not listed: [free text] Not sure Prefer not to answer
Sexual Orientation	What's [First Name]'s sexual orientation? (optional, single select)	 Lesbian or gay Straight Bisexual A sexual orientation that's not listed: [free text] Not sure Prefer not to answer

Catalysts for New SOGI Questions





Purpose of SOGI Questions



- » The new SOGI questions will be used for demographic data reporting for the purposes of analyzing health disparities in access to coverage.
- » Adding SOGI questions improves the Marketplace consumer experience by allowing consumers to attest in a way that better reflects and affirms their identities.



Best Practices for Asking SOGI Questions of Consumers



CMS has identified the following best practices to promote equitable and accurate data collection from consumers:

- » Clearly outline the purpose of the SOGI questions, including privacy and security measures:
 - Explain that the questions will be used to help identify gaps in access to health coverage, similar to how race and ethnicity data are used. Responses to these questions will not impact plan pricing.
 - Emphasize that the new data will be kept private and secure. In other words, the new data will not be shared with issuers, Medicaid and CHIP agencies, or other third parties at this time.
- » Use Marketplace recommended question and answer wording to enhance consumers' understanding of SOGI questions and encourage responses:
 - Ensure consumers understand that the questions are optional. They can skip or respond "Prefer not to answer."
 - o Ensure consumers understand that they can use free text response options to enter their own preferred terms.
 - Use help text to provide further context and explanation of the questions and answer options.
 - Clarify that the application filer can skip the questions or respond "Not sure" if they are unsure of how to answer the
 questions for others on the application. This will help improve data accuracy.
 - Explain that the Marketplace application will ask these questions for household members ages 12 and older.
 - At any time, consumers can update their responses to the new SOGI questions, including changing or removing their previous responses.

Impact on Marketplace Eligibility Results and Health Care



- » An individual's responses to the new SOGI questions will have no impact on their eligibility results, plan pricing, or plan costs.
- » At this time, any data received from the three new optional SOGI questions will not be shared with downstream systems or agencies, including issuers and state Medicaid/CHIP agencies.
- » CMS expects issuers and providers to administer applicable and medically necessary care in admission to, participation in, or receipt of the services and benefits under any of its programs and activities, without regard to Marketplace record of sex, sex assigned at birth, gender identity or sexual orientation.

Best Practices for Agents, Brokers, and Assisters and Navigators



- » The questions are optional for the consumers to answer. However, the agent, broker, or assister should always ask the consumer these questions so consumers can choose whether to answer them.
- » Responses to SOGI questions should always be self-reported by the consumer. Agents, brokers, and assisters should not guess the answers to the SOGI questions or make any assumptions even if they think they know the answers based on their interaction with the consumer. The consumer should have the opportunity to decide how to answer each SOGI question.
- These questions may be sensitive and it is understandable that some may feel discomfort asking their clients the new demographic questions. One way to normalize the questions is to explain that all consumers are asked these same questions. Although some may assume their clients will be offended by SOGI questions, research shows this is rarely the case.

Terms Defined



- » **Sex:** A multidimensional construct based on a cluster of anatomical and physiological traits (sex traits)
- » Gender: A multidimensional construct that links gender identity, gender expression, and social and cultural expectations about status, characteristics, and behavior that are associated with sex traits
- » Sexual Orientation: A multidimensional construct encompassing emotional, romantic, and sexual attraction, identity, and behavior

Source: *Measuring Sex, Gender Identity, and Sexual Orientation.* National Academies of Sciences, Engineering, and Medicine. March 2022. Detailed definitions for SOGI-related terms can be found in the report.

Resources



- » EO 13988: Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation
- » EO 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government
- » <u>EO 14075: Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals</u>
- » Federal Evidence Agenda on LGBTQI+ Equity
- » Recommendations on the Best Practices for the Collection of Sexual Orientation and Gender Identity Data on Federal Statistical Surveys
- » Office of the National Coordinator for Health Information Technology: United States Core Data for Interoperability
- » CMS Training: Caring for LGBTQI+ Patients

HealthCare.gov OE11

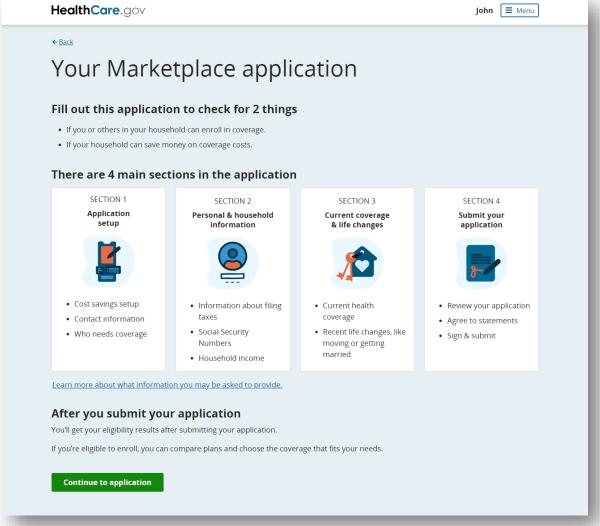
Highlights on consumer application and shopping experience updates



Apply: Get Started



- » New start page to set expectations for the sections of information they'll be asked to help guide consumers through their next steps with hints along the way.
- » Consumers that start their application and need to pause and come back later are now able to see where they left off (which section) and jump back in on the last question they were on. Or they can choose to review information they already entered in an earlier section before continuing.



Check for Savings



Decide if you'd like to check for savings

You can set up your application to check if your household is eligible for lower costs on health coverage.

Learn more about the types of savings we can check for.

Tell us more about your household so we can see if you should check for savings.

- Applying for coverage in West Virginia.

 Change your state by returning to your account and starting a new application.
- How many people do you report on your tax return, including yourself?

 Learn more about who to include, and how to answer if you don't file taxes.

1

In 2024, what do you estimate your household's income range will be?

Learn more about how to estimate household income.

\$61,000 or less

More than \$61,000

I choose not to answer

Varre harrachald is libraly as arralify fav asvingel

Your household is likely to qualify for savings!

We'll ask for more information as you fill out the application to make sure you're eligible, and to see how much you may be able to save.

Choose a savings option



Check for all savings options. (Recommended)

You'll see your results after you fill out and submit your application. If you're eligible to enroll, you can apply these savings to the plan you select.

Continue without checking for savings options.

You'll still fill out and submit your application. If you're eligible to enroll, you'll pay the full price of your health insurance premiums on the plan you select.

Consumer Contact Info & Communication Preferences



HealthCare.gov	
← <u>Back</u> 1 Set up − ② Household − ③ Coverage & changes − ④ Review & submit	
Contact information	
Email address	
johncarsonemail@example.com	
Phone number	
301-555-1234	
Extension Optional	
Phone type	
Mobile	
Home	
Work	
Add a second phone number	
Save & continue	
Application ID: 4392267714	

Preferred language

Selecting your preferred language helps the U.S. Department of Health and Human Services improve service to all people using the Marketplace. Providing this information won't affect eligibility, options, or costs.

Lea

Learn more about preferred languages	Contact preferences
Preferred written language	1
English	How would you like to get notices about your application?
Preferred spoken language	Email or text me when there's a new notice in my Marketplace account.
English	Send me paper notices in the mail.
Save & continue	How should we let you know when there's a new notice in your account?
Application ID: 4392267714	Email me at johncarsonemail@example.com.
	Text me. Text STOP to cancel. Text HELP for help. Message frequency varies, but you may receive 1-3 reminder messages per week during Open Enrollment (Nov. 1 - Jan. 15). Message and data rates may apply.

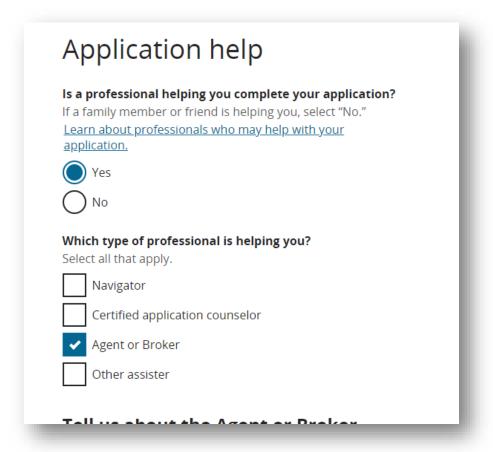
Save & continue

Application ID: 4392267714

Agent/Broker Information



When helping consumers or filling out an application on their behalf through direct enrollment, provide your information.

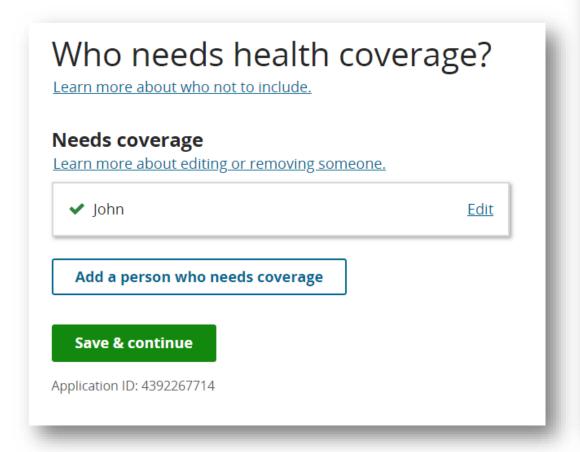


Middle initial		
Optional		
Last name		
Suffix		
Optional		
		\$
National Producer Nเ	mber (NPN)	
Save & continue		

All Household Members Who Need Coverage



Add each household member who needs coverage and review to ensure everyone is added before continuing.

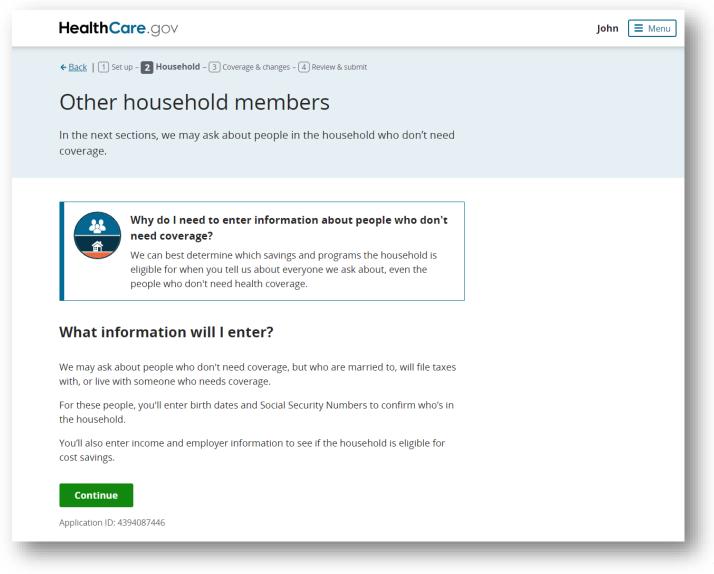


Add a person who needs health
coverage
First name
Middle name
Optional
Last name
Suffix
Optional
Date of birth For example: 3/4/2018 Month Day Year
Sex Learn more about why we're asking. Female Male
How is this person related to John? This person is John's
+
Save & continue
Application ID: 4392267714

Other Household Members



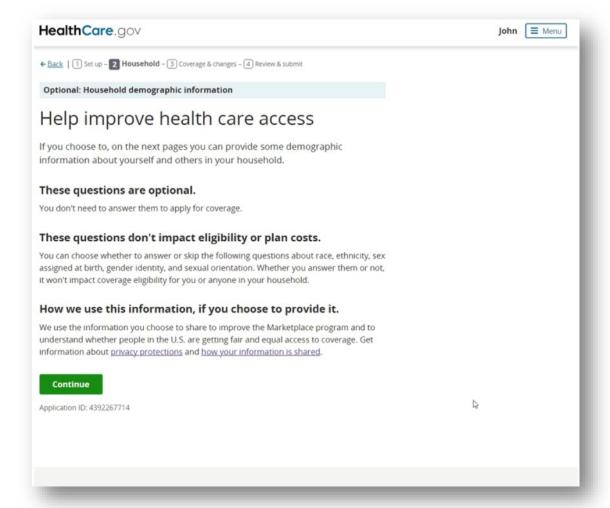
- The Marketplace needs information for other household members who don't need coverage to help ensure consumers get accurate eligibility and helps the Marketplace find the best savings on coverage.
- » Consumers need to provide birth dates, Social Security numbers (SSNs), income, and other information about how household members are related (parents, children, etc.).



Optional Demographic Information



- » For the first time, the Marketplace application will be asking optional demographic questions regarding sex assigned at birth, sexual orientation, and gender identity.
- The information helps the Marketplace focus on health equity and reducing health disparities in access to coverage and improves the Marketplace consumer experience by enabling consumers to attest in a way that better reflects and affirms their identities.
- » New questions are asked after race and ethnicity, are completely optional, consumers can choose to answer, skip, or indicate they prefer not to answer any or all of the three questions.
- » An individual's responses or decision to skip has no impact on their eligibility results, plan pricing, or plan costs.
- » The privacy of all information will be protected. At this time, any data received from the three new optional sexual orientation and gender identity questions won't be shared with downstream systems or agencies, including issuers or state agencies such as Medicaid and Children's Health Insurance Program (CHIP).



New Optional Demographic Information (CMS)



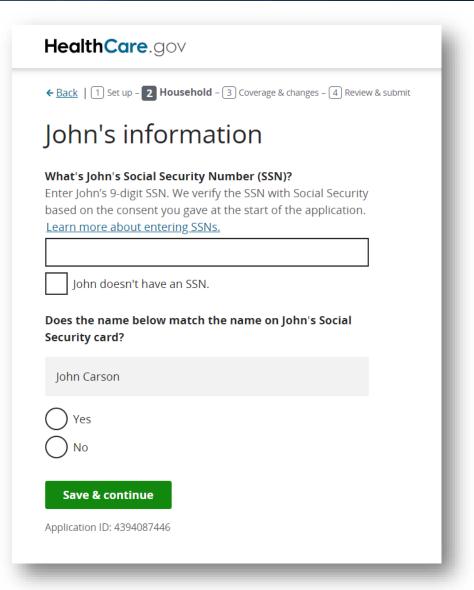
Optional: Household demographic information				
John's information				
All questions on this page are optional. You can choose to answer some, all, or none of them.				
Your responses won't impact John's eligibility or plan details. Whether you choose to answer or skip these questions, it won't impact coverage eligibility for John or anyone else in the household, or plan costs if they enroll.				
We don't use these responses to understand John's personal health care needs, or to determine available plans or what health care services are covered.				
Sex assigned at birth, gender identity, & sexual orientation				
What was John's sex assigned at birth? Optional. This can be found on an original birth certificate or similar document.				
Female Male				
A sex that's not listed				
Not sure Prefer not to answer				
Clear your selection				

Optional	n's gender identity?	
Femal	e	
Male		
Transg	gender female	
Transg	gender male	
A gend	der identity that's not listed	
O Not su	re	
Prefer	not to answer	
Clear your s	election	
What's Joh Optional	n's sexual orientation?	
Optional	n' s sexual orientation? n or gay	
Optional	n or gay	
Optional Lesbia	n or gay nt	
Optional Lesbia Straigl Bisexu	n or gay nt	
Optional Lesbia Straigl Bisexu	n or gay nt al al orientation that's not listed	
Optional Lesbia Straigh Bisexu A sexu Not su	n or gay nt al al orientation that's not listed	
Optional Lesbia Straigh Bisexu A sexu Not su	n or gay nt al al orientation that's not listed re not to answer	

Entering Social Security Numbers



» Consumers that need health coverage are required to provide their SSN. Consumers that don't have an SSN will be able to provide information on their eligible citizenship and immigration status in the next section.



Transitioning from Medicaid or CHIP



- » Consumers may be transitioning from Medicaid and CHIP coverage that recently ended, or will end soon.
- Even during Open Enrollment, consumers will need to let the Marketplace know if they had Medicaid or CHIP coverage and the date the coverage ends.
- During November, if consumers just lost Medicaid and CHIP, they can fill out their 2024 application and enroll in a plan that starts January 1. If they need coverage for December, consumers should also complete a 2023 application and choose a plan.
- » Consumers that applied for Medicaid and CHIP but were found not eligible by the state (i.e., weren't enrolled and were referred to the Marketplace) can provide the date of the denial on a separate question later in the application.



Income



- » New section introduction to help consumers know what they may need and answer key questions.
- » Current month's income is asked first. This should include all sources of income the consumer receives this month. The application sums up all the values and provides a total to review before continuing.
- Enter income based on what the consumer knows for their best estimate – for a job that could be entering income hourly, weekly, biweekly, monthly, etc. The application will calculate a monthly amount for review.
- Estimated 2024 annual income for the coverage year. The application calculates an estimate for review based on monthly. If that looks right, the consumer can review and move forward. For consumers that have variable income, or may have other income sources during the year (i.e., seasonal, gig work, self-employment), they'll be able to adjust the total estimate for 2024 by entering a better amount for the year.



← Back | 1 Set up - 2 Household - 3 Coverage & changes - 4 Review & submit

Next: Income information

Household income

Household income includes all estimated income and some expenses for both the current month and all of 2024. You'll need to enter income information for each person in the household.

🐧 Documents you may need

- Pay stubs
- Personal records of income from a person's own business or from other self-employment, like delivery or ride services
- Last year's tax returns, if income for this year will likely be about the same

Why do I need to enter this information?

We'll use annual income to help check your household's eligibility for savings through the Marketplace, like a premium tax credit to reduce monthly insurance bills or lower out-of-pocket costs on certain plans. We'll also use the current month's income to check eligibility for free or low-cost health care coverage through programs like Medicaid and the Children's Health Insurance Program (CHIP).

Learn more about how we use estimated income to check for certain types of eligibility.

What if income changes from month to month, or throughout the year?

Estimating income can be hard, especially if a person's income changes or varies.

Enter your best estimate for now. If anyone's income changes during the year, come back and update your application as soon as possible. Income changes may affect the savings and coverage options your household qualifies for.

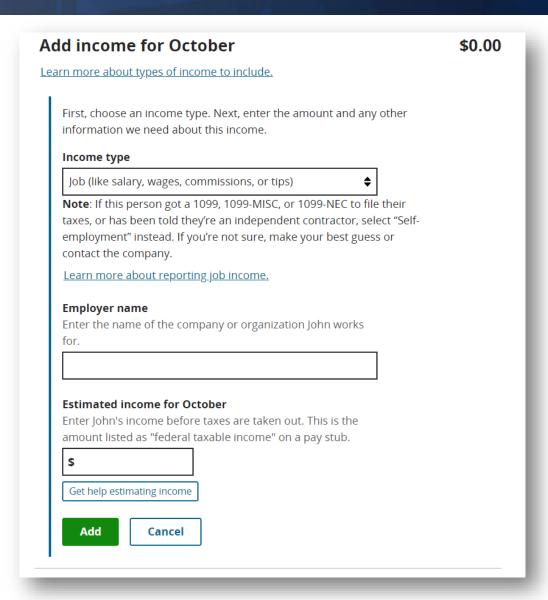
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Enter Current Month Income Sources



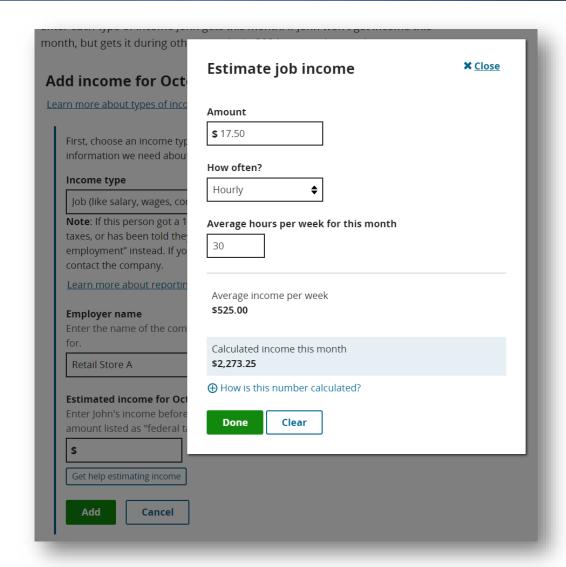
John's income for this month (October 2023) Enter each type of income John gets this month. If John won't get income this month, but gets it during other months in 2024, report that on the next page. Add income for October \$0.00 Learn more about types of income to include. Add income Minus certain expenses -\$0.00 You can only subtract these expenses: Student loan interest, alimony, IRA contributions, or educator expenses. Add expense John's total for October \$0.00 ⊕ What amount is used to determine eligibility? When John's adjusted monthly income looks correct, select Save & continue. Next, we'll estimate John's annual income for all of 2024. Save & continue Application ID: 4392267714

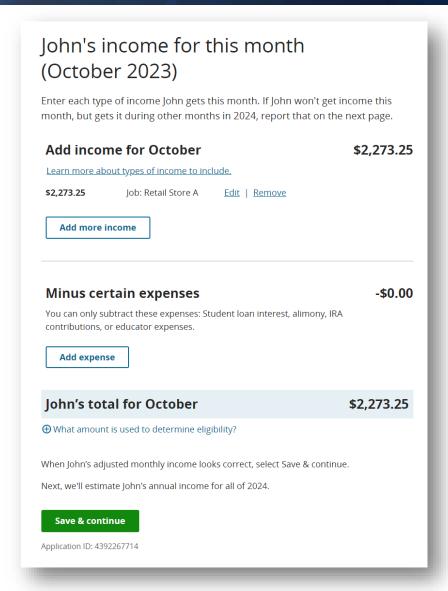


Enter Current Month Income Sources



(continued)

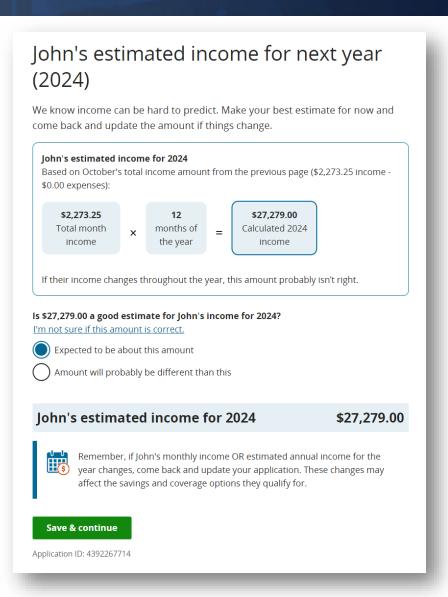




Annual Income Estimate



John's estimated income for next year (2024)We know income can be hard to predict. Make your best estimate for now and come back and update the amount if things change. John's estimated income for 2024 Based on October's total income amount from the previous page (\$2,273.25 income -\$0.00 expenses): \$2,273,25 \$27,279.00 Total month months of Calculated 2024 income the year income If their income changes throughout the year, this amount probably isn't right. Is \$27,279.00 a good estimate for John's income for 2024? I'm not sure if this amount is correct. Expected to be about this amount Amount will probably be different than this John's estimated income for 2024 \$0.00 Save & continue Application ID: 4392267714

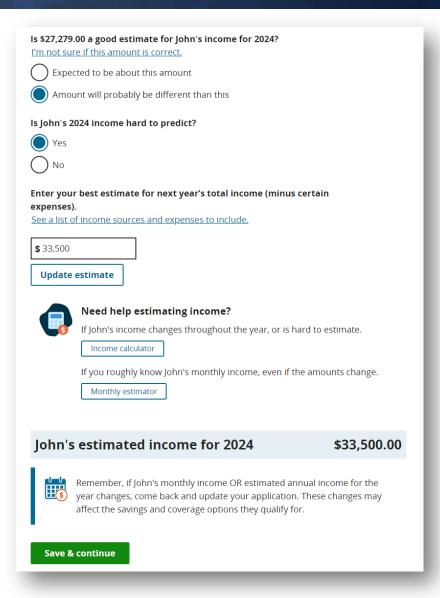


Annual Income Estimate





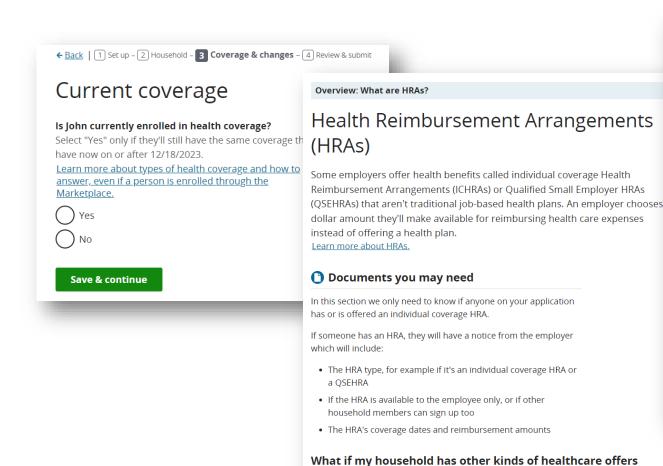
	good estimate for John's income for 2024?			
I'm not sure if	this amount is correct.			
Expected	to be about this amount			
Amount v	vill probably be different than this			
ls John's 2024	income hard to predict?			
Yes				
No				
-	st estimate for next year's total income (minus certain			
expenses).	and a sure and are an area to trade a			
See a list of inc	ome sources and expenses to include.			
\$ 33,500				
33,300				
Update esti	mate			
→ No	eed help estimating income?			
		imate		
_	If John's income changes throughout the year, or is hard to estimate.			
	Income calculator			
Ify	ou roughly know John's monthly income, even if the amoun	its change.		
	Monthly estimator	_		
	wording estimates			
		+0.00		
John's es	timated income for 2024	\$0.00		
Save & con	tinue			



Coverage & Life Events

We'll ask about other types of health plans offered by an employer (called job-based health





through a job?

Continue

coverage) later in the application.

Next: Other coverage offers from a job

Job-based health coverage

Some employers may offer health insurance plans to employees. These plans may also be available to other family members, too.

🗅 Information you may need

Details about a health plan's benefits and coverage from the employer, including:

- · Premium costs
- · Who in the household can enroll
- Whether any plans meet the minimum value standard Learn more about the minimum value standard.

If you don't have this document, you can print or download the <u>Employer Coverage Tool</u> (PDF) and ask the employer to fill out their part.

It's ok if you need to pause to go find these documents. All your answers up to this point have been saved.

Continue

Coverage & Life Events (continued)





Overview: What's a Special Enrollment Period?

Special Enrollment Period eligibility

A Special Enrollment Period allows a person to enroll in new coverage or change plans outside the yearly Open Enrollment Period of November 1 - January 15. Someone might be eligible if they've had certain life events. Learn more about qualifying for a Special Enrollment Period.

Information or documents you may need

- HRA or QSEHRA offer notices
- A notice from an insurance company, employer, or state agency showing the date health coverage was or will be lost
- The dates anyone in the household moved, got married, took in a new dependent, was released from incarceration, or recently gained eligible immigration status

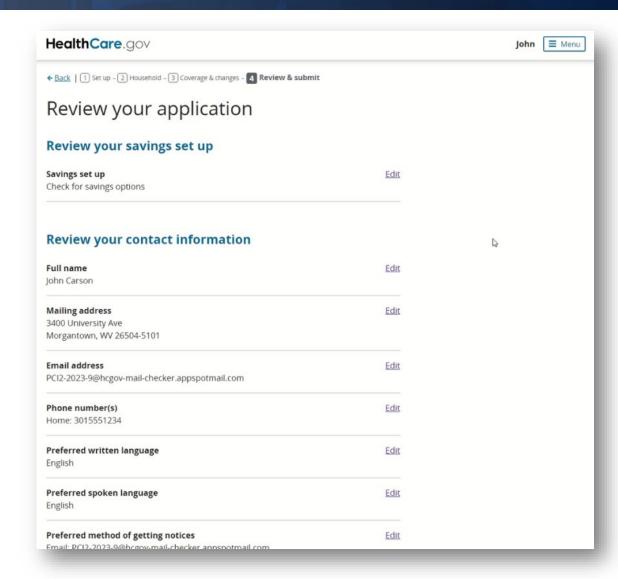
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Necen	t coverage changes
_	e qualifying health coverage between
	d 10/19/2023? bout recent loss of coverage.
Yes	
○ No	
What was the	e last day of John's coverage? 9/30/2023
Month Da	
/	
Enter the nai	lifo changes
Optional	Life changes
	- Has John had any of these changes since 8/20/2023?
	Gained a dependent (or became a dependent) due to an adoption, foster care
Save & co	placement, or court order
_	Moved
	Don't select if they moved for vacation or medical treatment.
	Was released from incarceration (detention or jail)
	None of these changes
	Save & continue

Review, Sign & Submit



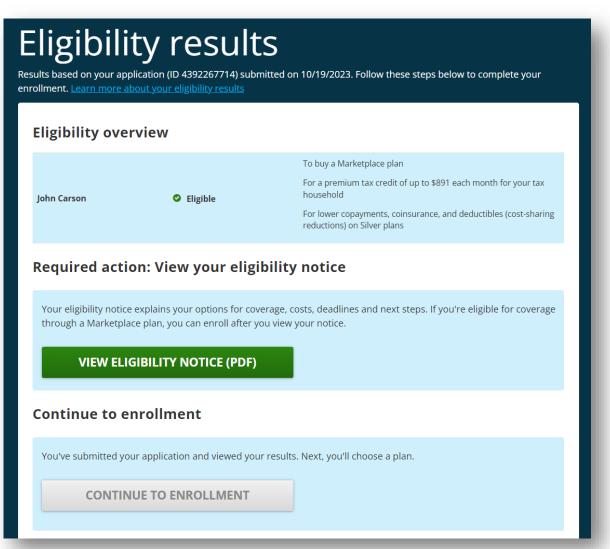
- » All application information, in one place before submitting. Edit features will take the consumer back to the information in to make updates.
- Ensure contact information for the consumer is accurate so they'll receive follow-up communications from the Marketplace or their Medicaid/CHIP agency about their coverage.
- » Confirm SSNs or immigration status information is included and accurate for each person.
- » Review income again and make sure current month and annual estimate look right for each person.
- » Check information about other coverage and recent life changes.
- » When everything is accurate, continue to review agreement and attestations.
- » Sign and submit the application, attesting to the accuracy of the all information.



Sign Application and Review Eligibility Results Summary



Sign & submit I'm signing this application under penalty of perjury, which means I've provided true answers to all of the questions to the best of my knowledge. I know I may be subject to penalties under federal law if I intentionally provide false information. I agree to this statement. John Carson, type your full name below to sign electronically. Sign & submit



Eligibility Results



- Eligibility notice provides information on coverage for Marketplace plans, Medicaid, and CHIP for each person, eligibility for tax credits and the amount, and the availability of extra savings on Silver plans.
- Key dates for enrolling in coverage.
- Important actions and follow-up information the Marketplace needs with dates and deadlines. Check to see if the consumer may need to upload or send in documents for income, citizenship, or other information. Taking next steps by the deadlines are critical, otherwise the consumer may lose financial help or Marketplace coverage later.
- Notice includes an eligibility guide after results with information to help understand the notice, and how to take next steps.

Health Insurance Marketplace

November 15, 2023

Application ID #123456789 Application date: November 15, 2023

2024

Marketplace Eligibility Notice

John Carson

135 Catoma St

Montgomery, AL 36101-1601

Remember to update your application during the year with any changes

Results

Estimated 2023 income used to determine eligibility for Premium tax credit available for this household: \$2,167/month financial help: \$40,588/year

	John Carson	Suzanne Carson
Applied for coverage.	•	•
Eligible to enroll in a Marketplace plan until January 15, 2024 .	•	•
Eligible to use the premium tax credit to pay for a Marketplace plan. Can use up to \$2,167/month for this household.	•	•
Eligible for extra savings (cost-sharing reductions): Will pay less for copayments, coinsurance, and deductibles when you're enrolled in a Silver plan.	•	•
The Marketplace needs documents that confirm information in your application. (Details below.)	•	•
Not eligible for Medicaid or CHIP because you don't meet the criteria in your state.	•	•

ACTION: Next steps		
By December 15, 2023, choose a Marketplace plan for coverage to start January 1. See Eligibility Guide, page 4.	•	•
By February 20, 2024, submit documents to confirm citizenship. See Submitting Documents, attached.	•	•
By February 15, 2024, submit documents to confirm household income. See Submitting Documents, attached.	•	
Choose a Silver plan to get extra savings.	•	•
You can appeal your eligibility results now. See Eligibility Guide , page 8.	•	•

To learn when and how you can appeal, see Eligibility Guide, page 8. Questions about results or next steps? See the Eligibility Guide included with this notice.

For more help

Marketplace Call Center: 1-800-318-2596 TTY: 1-855-889-4325 LocalHelp.HealthCare.gov

(for help in your area)

HealthCare.gov Alabama Medicaid: (800)362-1504 TTY: (800)253-0799

Alabama ALL Kids (CHIP): (888)373-5437 TTY: (888)373-5437

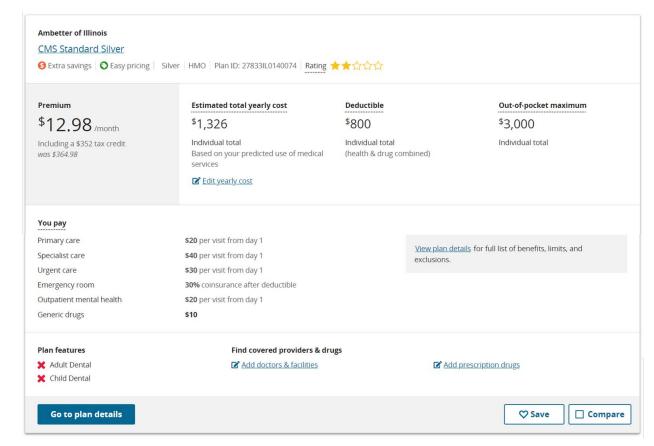
Enrollment Experience Highlights



Redesigned How We're Communicating Plan Info

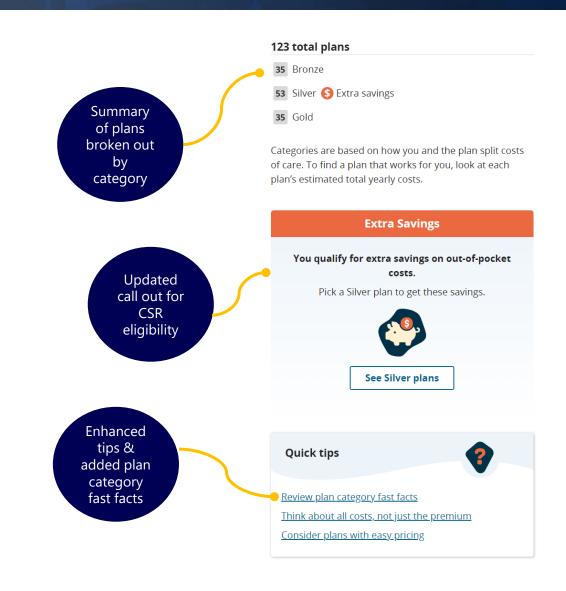


- » Redesigned plan summaries to reduce choice overload and cognitive burden.
 - Streamlining basic plan info at top (name, tags, type, rating)
 - Grouping key costs together under "you pay" to help clarify cost details
 - Urgent care and outpatient mental health have been added in cost summary
 - Clarify benefits available with just a copay without needing to meet their deductible from "from day 1" (primary care, specialist, urgent care, outpatient mental health)
- In addition, plan results will be sorted by estimated total yearly costs first, rather than by premium, to help consumers understand how much they may spend across the year in each plan, inclusive of premiums and costs for care, taking into account deductibles and copays/coinsurance.
- » Considering plans based on annual estimated costs has been shown to help consumers find a plan that is more cost-effective for their individual needs, inclusive of care. Estimates are set to medium level of use by default - consumers can customize for low/medium/high.



Helping with Choice Overload & Improving Decision Support

- » Incorporate framing information on the results page about the categories of plans available
- » Expanded the real estate spacing on screen and added a new right-side set of helpful information and reminders
- » Provide information that helps consumers think about ways to narrow their plans based on individual needs and consider all costs, inclusive of premiums and their anticipated care needs
- » Improved fast facts about plans shown before seeing results with updated visual layout/content and adding dynamic version highlighting CSR for Silver plans
- » Additional hints and tips along the way to help consumers find the plan that's a best fit for them



Helping Consumers with CSR Eligibility (Extra Savings)



X Close Pick extra savings

You qualify for extra savings when you get care. You'll save money with lower deductibles and copayments / coinsurance. You must pick a Silver plan to get the extra savings.

Extra Savings

Bronze

53 Plans

You'll pay more when you get care. Your deductible will be high.



Silver

Silver with extra savings may save you the most when you get care. Your deductible will be low.

Gold

29 Plans

You'll pay low costs when you get care. Your deductible will be low. But, Silver with extra savings may save you more money.

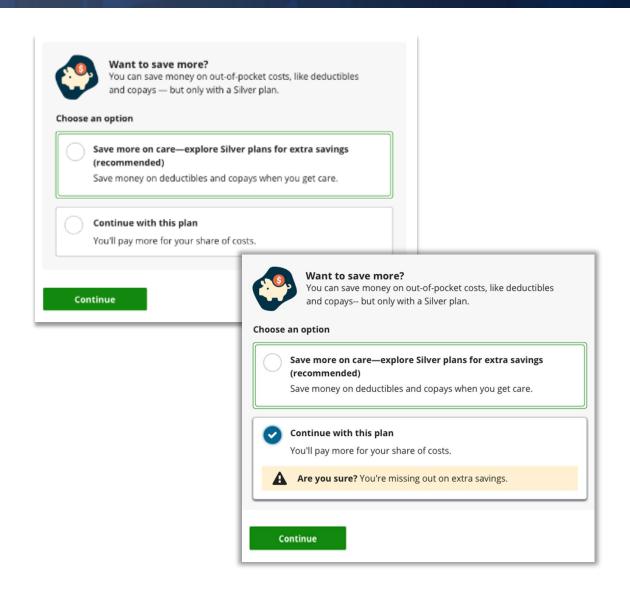
per month

Important: You must pick a Silver plan to get extra savings.

Extra Savings on Silver Plans Reminder



- HealthCare.gov has hints and filters to help consumers eligible for extra savings consider Silver plans when shopping for coverage. Reminder alert displays when consumers start the checkout process with a non-Silver plan, and they could miss out on the extra savings they're eligible for if they enroll in a Silver plan.
- » Two options presented for consumers to choose their next step:
 - Reminds the consumers that they could save even more with a Silver plan, which is recommended to lower their cost of care during the year.
 - Consumers are prompted to (a) take another look at Silver plans or (b) actively confirm they want to keep the selected plan.
 - If consumers opts to take another look, a filter for Silver plans will automatically be applied so they can immediately look at their options.
 - If a consumer chooses to continue with a non-Silver plan, they get a final message saying what they risk passing up.



Consumer Consent and Application Review Requirements



2024 Payment Notice Updates: Documenting Consumer Consent



Consent Documentation Requirements

- » Agents, brokers, and web-brokers are required to document the receipt of consent from the consumer or their authorized representative.
 - The consumer or their authorized representative must take an action to produce the documentation;
 - The documentation must contain, at a minimum, the following information:
 - A description of the scope, purpose, and duration of the consent provided by the consumer or their authorized representative;
 - The date the consent was given;
 - The name of the consumer or their authorized representative;
 - The name of the agent, broker, web-broker, or agency being granted consent;
 - A process through which the consumer or their authorized representative may rescind the consent.
 - The agent, broker, or web-broker must maintain the documentation for a minimum of 10 years.

2024 Payment Notice Updates: Review Documentation Requirements



Review Documentation Requirements

- » Agents, brokers, and web-brokers are required to document that eligibility application information has been reviewed by and confirmed to be accurate by the consumer or their authorized representative prior to application submission.
 - o The consumer or their authorized representative must take an action to produce the documentation;
 - The documentation must contain, at a minimum, the following information:
 - The date the information was reviewed;
 - The name of the consumer or their authorized representative;
 - An explanation of the attestations at the end of the eligibility application; and
 - The name of the assisting agent, broker, or web-broker.
 - The agent, broker, or web-broker must maintain the documentation for a minimum of 10 years.

Maintaining Compliance: The Do's and Don'ts for Agents and Brokers





- Obtain and document consumer consent prior to assisting with, or facilitating enrollment through, an FFM or assisting the individual in applying for advance payment of the premium tax credit (APTC) and cost-sharing reductions (CSRs) for qualified health plans (QHPs).
- o Identify and report suspicious or potentially fraudulent Marketplace activity to the Agent/Broker Email Help Desk at <u>FFMProducer-AssisterHelpDesk@cms.hhs.gov</u>.
- o Provide the FFMs with correct information and document that eligibility application information has been reviewed and confirmed to be accurate by the consumer or their authorized representative, including ensuring consumers are reporting their most accurate income estimate(s) and are providing their SSNs, when required.
- Make timely updates to your personal and contact information with your state licensing body, in the National Insurance Producer Registry (NIPR), and in the Marketplace Learning Management System (MLMS).
- Walk consumers through the HealthCare.gov application via Zoom screen sharing.

X DON'TS

- o Retain access to a consumer's HealthCare.gov account or associated email.
- Create accounts, login, or submit applications on HealthCare.gov.
- o Enter false or dummy addresses in place of a consumer's email or mailing address.
- o Enter an agent or broker's own professional or company email or mailing address on a consumer's application.
- Share Marketplace credentials.



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!

