

MARKETPLACE ASSISTER TOOLKIT

Standard Operating Procedures Manual for Assisters in the Individual Federally-facilitated Marketplaces

CONSUMER PROTECTIONS: FRAUD PREVENTION GUIDELINES



Version 8.0 November 2022. This information is intended only for the use of entities and individuals federally certified to serve as Navigators or certified application counselors in a Federally-facilitated Marketplace. The terms “Federally-facilitated Marketplace” and “FFM,” as used in this document, include FFMs where the state performs plan management functions. Some information in this manual may also be of interest to individuals helping consumers in State-based Marketplaces and State-based Marketplaces using the Federal Platform. The information provided in this document is intended only to be a general informal summary of technical legal standards. It is not intended to take the place of the statutes, regulations, or formal policy guidance upon which it is based. This document summarizes current policy and operations as of the date it was presented. We encourage readers to refer to the applicable statutes, regulations, and other interpretive materials for complete and current information. All legal requirements are fully stated in the applicable statutes and regulations. This material was produced and disseminated at U.S. taxpayer expense.



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Consumer Protections: Fraud Prevention Guidelines

A. Fraud Prevention Guidelines

Navigators and certified application counselors (CACs), collectively known as assisters, in the Federally-facilitated Marketplaces (FFMs) (also known as Federally-facilitated Exchanges, or FFEs) must provide accurate, fair, and impartial information to consumers about their health coverage options and provide enrollment assistance in a qualified health plan (QHP). Before you assist consumers, you should be aware of potential instances of fraud that can occur in the Marketplace.

Fraud, as the term is used in this document, happens when an individual or an entity (for example, a business) deliberately omits or mis-states important information for personal benefit. In the course of your work, you may become aware of fraud committed by:

- A consumer
- A health insurance company
- An agent, broker, or assister
- Another individual or organization

While many of these individuals and entities are committed to providing accurate information and unbiased FFM enrollment assistance, some may have the intention to commit fraud against consumers, the government, or both. Fraud can also occur if someone uses another person's personally identifiable information (PII) as their own to receive health coverage (this type of fraud is also known as "identity theft"). If you suspect or are aware of fraud, you should report it to your organization and the other entities included in the resources listed in Exhibit 2 of this document.

Use these guidelines to recognize fraud, to help prevent fraud and identity theft from occurring, and to learn how to report fraud when you suspect it has occurred.

1. Recognizing Fraud

You should recognize behaviors or situations that may be examples of fraud and report them to the proper authorities. It's not your responsibility to prove that fraud occurred. Fraud may be committed in different ways in connection with the FFMs. The following are signs of potential fraud.

Some examples of how consumers may commit fraud include:

- Purposely under-reporting their income or failing to report all sources of income
- Purposely not reporting an accurate age or level of tobacco use to attempt to change the cost of health coverage
- Using another person's information to get health coverage through the Marketplace



Some examples of how a health insurance company may commit fraud include:

- Giving false information in an attempt to convince consumers to enroll in its QHP or to not enroll consumers if insuring them could be expensive
- Promising consumers certain services or prices, but then not offering them the services or prices once they enroll

Some examples of how other individuals and organizations may commit fraud include:

- Making an unsolicited request for consumers' personal information and fraudulently claiming that they will enroll them in QHPs sold through the Marketplace
- Falsely claiming to be an agent, broker, or assister and sending a consumer an email that asks for personal information
- Trying to collect a tax payment directly from the consumer

Note: The above examples are not an exhaustive list.

2. Preventing Fraud

To protect themselves against fraud, you should encourage consumers to follow a few basic guidelines related to the FFMs. Exhibit 1 provides tips you may offer to consumers.



Exhibit 1 – Tips to Prevent Fraud

Consumers should:	Consumers should not:
<ul style="list-style-type: none">• Protect their Social Security Number (SSN) by only providing it to trusted assisters or websites.• Shred documents containing health information or other personal information before throwing them away.• Look for official .gov web addresses, which will have logos for the Department of Health and Human Services (HHS) and HealthCare.gov.• Be an informed consumer and take the time to compare coverage options before making a decision.• Review information from health plans to make sure only services, equipment, and prescriptions used by consumers or their household members are listed within an Explanation of Benefits (EOB).• Review charges, bills, and EOBs to ensure all charges for services, equipment, and prescriptions are accurate.• Be wary of product promotions, so-called “special deals,” or other offers that seem too good to be true, because these offers may be related to fraud or identity theft.• End any suspicious call or visit immediately.• Report suspicious calls or visits to your state Department of Insurance or the Marketplace Call Center.• Accurately report all sources and amounts of income on eligibility applications.• Accurately report age, tobacco usage, and address on eligibility applications.• Never give out PII over the telephone or Internet unless the requestor has proven they have the authority to gather this information.• Make sure that PII shared with an assister is protected (for example, contained in a password-protected email, if possible, or provided to the Marketplace Call Center over the phone).• Read Protect Yourself From Marketplace Fraud for additional information on how they can protect themselves against Marketplace fraud.• Be aware that some consumers are being targeted by tax scams. If consumers owe a payment, remember that it should be made only with their federal income tax return or in response to a letter from the IRS. The payment should never be made directly to an individual or tax return preparer.	<ul style="list-style-type: none">• Respond to unsolicited advertisements.• Give out personal information over the telephone, the Internet, or in person unless the requestor has proven they have the authority to gather this information (for example, an insurance company or the FFM) for enrollment purposes.• Sign blank insurance forms or applications.• Be pressured into making purchases, signing contracts, or committing funds.• Be afraid to ask questions and verify the answers.



Additional information on how consumers can identify and protect themselves from tax scams is available at [HealthCare.gov/how-can-i-protect-myself-from-tax-scams](https://www.healthcare.gov/how-can-i-protect-myself-from-tax-scams).

You can also play a role in fighting fraud by:

- Protecting consumers' private health care and financial information and reminding them to be cautious when giving out their SSNs, credit card numbers, or banking information
- Encouraging consumers to accurately answer application questions

Consumers' SSNs, if available, should be provided only to the FFMs and will be used for the following purposes:

- To determine if consumers are eligible for health coverage
- To share with the health insurance company offering the plan selected by the consumers
- To assist consumers with getting help paying for coverage
- To verify immigration status

Remember, you and the FFMs can only request SSNs from consumers who aren't seeking coverage when that information is necessary for another individual's eligibility determination for enrollment in a QHP, insurance affordability program, or as part of a Small Business Health Options Program (SHOP) employer application under [45 C.F.R. § 155.731](https://www.ecfr.gov/current/title-45/chapter-I/subchapter-D/part-155/subpart-731/section-155.731). Individuals are not required to provide SSNs if they are not applying for coverage for themselves; however, they can help speed up the verification process by providing SSNs for all consumers whose incomes are included from their household on an individual market FFM application. You should also reassure consumers it's your job to provide accurate and impartial information and that you can help them access the resources they need to make informed decisions about getting coverage through the FFMs.

3. Reporting Fraud

If consumers feel they have experienced fraud or have been the victims of identity theft, you are encouraged to help them report this to the appropriate authorities. In all situations of suspected fraud, it's important to collect as much information as possible so you or the consumer can accurately report it. Types of information to collect may include:

- The name or ID number of the individual or entity suspected of fraud
- Contact information for the individual or entity suspected of fraud
- A summary of the suspected fraud and/or entity suspected of fraud
- The date the suspected fraud occurred
- Whether you suspected the fraud or heard about it from a third party. If the third party was a consumer, you should include contact information for the consumer as well

If you or a consumer thinks fraud may have occurred, use the resources listed in Exhibit 2 to report it.



Exhibit 2 – Resources to Report Fraud

Resource	Contact Information	Description
HHS Office of the Inspector General (OIG)	<ul style="list-style-type: none"> • Online: HHS OIG Fraud Hotline • 1-800-HHS-TIPS (1-800-447-8477); • TTY: 1-800-377-4950 	<ul style="list-style-type: none"> • To report that a consumer's information was used to enroll someone else in the Marketplace.
The Federal Trade Commission (FTC)	<ul style="list-style-type: none"> • Online: ReportFraud.ftc.gov • 1-877-ID-THEFT (1-877-438-4338); • TTY: 1-866-653-4261 	<ul style="list-style-type: none"> • To report identity theft. • To report a stolen SSN.
Social Security Administration (SSA)	<ul style="list-style-type: none"> • Online: SSA.gov • In person at your local Social Security office • 1-800-772-1213; • TTY: 1-800-325-0778 	<ul style="list-style-type: none"> • To get a new SSN.
State Department of Insurance (DOI)	<ul style="list-style-type: none"> • Select your state to find your DOI. 	<ul style="list-style-type: none"> • To report agent and broker fraud.
Federally-facilitated Marketplace Call Center	<ul style="list-style-type: none"> • 1-800-318-2596; • TTY: 1-855-889-4325 (all languages available) 	<ul style="list-style-type: none"> • To report that a consumer received suspicious calls or visits. • To report fraudulent conduct by an assister.
Internal Revenue Service (IRS)	<ul style="list-style-type: none"> • Complete and send Form 14157, Return Preparer Complaint with all supporting documents to the IRS. • Mail: Internal Revenue Service Attn: Return Preparer Office 401 W. Peachtree Street NW Mail Stop 421-D Atlanta, GA 30308 • Fax: 855-889-7957 	<ul style="list-style-type: none"> • To report suspected misconduct or fraudulent activity related to a tax return preparer or tax preparation firm.



Appendix A: Support Resources

If consumers require assistance that is outside of assister activities, refer consumers to other organizations and resources as appropriate. Exhibit 3 provides a list of external resources.

Exhibit 3 – External Resources

Resource	Contact Information	What does this resource do?	How should consumers use this resource?
Marketplace	<ul style="list-style-type: none"> 1-800-318-2596 TTY: 1-855-889-4325 (all languages available) 	The Marketplace Call Center provides assistance to consumers who need information or want to enroll in health coverage through an FFM.	<ul style="list-style-type: none"> To get answers to questions while applying for health coverage using the online or paper application. To apply for health coverage over the phone.
HealthCare.gov	HealthCare.gov	This website allows consumers to access information about the Affordable Care Act (ACA) and to enroll in health coverage through an FFM.	<ul style="list-style-type: none"> To find out about health coverage options available through an FFM. To apply for health coverage online. To get real-time answers to questions using the online chat function.
Internal Revenue Service	IRS.gov	This federal agency collects taxes from individuals and businesses in the U.S.	<ul style="list-style-type: none"> To learn more about the effects of the ACA on consumers' tax returns.