



New Marketplace Agent/Broker Privacy and Security FAQ

Agents and brokers accessing the CMS Enterprise Portal and the Direct Enrollment Pathway agree to abide by the [terms and conditions](#) of accessing CMS systems when assisting consumers with enrollments in Marketplace plans. Unauthorized or improper use of CMS systems may result in disciplinary action and/or civil and criminal penalties.

Question:

What are proper uses of CMS systems that agents and brokers are required to abide by when accessing HealthCare.gov, the CMS Enterprise Portal, and the Direct Enrollment Pathway?

Answer:

As required by the terms and conditions of accessing CMS systems, proper uses of CMS systems include the following:

1. Individuals are allowed to have only one CMS Portal account.
2. Only the person creating a CMS Portal Account may use his or her log-in credentials. Sharing log-in credentials is not allowed.
3. A person may log into his or her CMS Portal account with a single login session and conduct person searches through the Direct Enrollment Pathways (Classic or Enhanced). If you are logged in and then try to log in again with a new browser window, tab, or other computer, your first session will end. This system check will effectively prevent multiple people from using the same login credentials.
4. Users may conduct only one person search at a time. Use of scripts or automation tools to conduct person searches or to complete applications and submit enrollments on CMS websites is not allowed. Users conducting automated activities may have their CMS Portal accounts disabled immediately and permanently. This does not apply to scripted interactions with public-facing application programming interfaces (APIs) maintained by CMS.
5. Agents and brokers may only conduct person searches for consumers who have given them consent to work with them for purposes of applying for and enrolling in a Marketplace plan. As a best practice, CMS recommends getting this consent in writing. If you have worked with a client in the past, you should receive consent from them again to conduct a person search in connection with enrollment in a 2018 or 2019 Marketplace plan. Conducting person searches for non-Marketplace enrollment purposes, e.g., to enroll them in a non-Marketplace plan, is not allowed.
6. Agents and brokers wanting to assist consumers with Marketplace enrollment through HealthCare.gov or any Direct Enrollment Pathway must be licensed in each state where they are assisting consumers. Agents and brokers must undergo identity proofing, complete training, and sign applicable agreements with the Marketplace for the applicable benefit year prior to assisting Marketplace consumers. CMS will disable access to the CMS Portal and the Direct Enrollment Pathways for any agent or broker where CMS is unable to verify state health insurance licensure using the National Insurance Producer Registry and may subsequently terminate the Marketplace agreements with the agent or broker.