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 that do not use HealthCare.gov for eligibility and enrollment. Please review the guidance on our Agents and Brokers 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 includes Federally-facilitated Marketplaces (FFMs) and State-based Marketplaces on the Federal Platform.

This communication was printed, published, or produced and disseminated at U.S. taxpayer expense.
• Introduction
• Changes to Registration for Plan Year 2020
• Compliance Points to Remember
• Changes to Training for Plan Year 2020
• Marketplace Registration and Training
• Agent and Broker Resources
Changes to Registration for Plan Year 2020
Marketplace Learning Management System (MLMS) Profile

• New list of “Spoken Languages”
  - You can select from a list of languages that you speak and are proficient enough to assist consumers with enrollments.
  - This information may be shared and displayed in the Help On Demand system.

• New address field to capture your mailing address for official correspondence from the Centers for Medicare & Medicaid Services (CMS), and a check box to indicate if it is the same as your physical address*

• Updated field labels to clarify the purpose/usage between individual and business information

• Real-time National Producer Number (NPN) validation to allow you to quickly correct any errors identified during the validation process

*Mailing addresses are for official correspondence between the you and Marketplace and will not be displayed on Find Local Help.
System Enhancements for Plan Year 2020 (Continued)

National Producer Number Validation

• CMS validates your NPN against data stored in the National Insurance Producer Registry (NIPR) Public Database.
  - Results of this NIPR NPN validation appear on the public Agent and Broker Federally-facilitated Marketplace Registration Completion List (RCL).
    - The RCL is updated daily.

• NPN validation occurs during the annual registration process in the MLMS and is only applicable to the current plan year.

• To be validated, you must:
  - Have a valid state license;
  - Have a health-related line of authority (LOA) (additional information can be found here); and
  - Have an active status for your health-related LOA.
Compliance
Points to Remember
Marketplace Agent and Broker Compliance
Points to Remember

• Complete Marketplace registration (including required training) on an annual basis for the applicable plan year

• Maintain license with an active health-related line of authority in every state where you actively assist consumers with enrollment in Marketplace qualified health plans (QHPs)

• Obtain consent from each client you work with prior to conducting an online person search or assisting the client with an eligibility application and/or subsequent plan selection and enrollment

• Assist consumers who are referred to you from HealthCare.gov (Find Local Help or Help On Demand) with Marketplace eligibility determinations and enrollments, and if they are eligible for Medicaid or the Children’s Health Insurance Program, help them to connect with the appropriate state agency to apply for this coverage

• If a client may be eligible for Medicare, direct him or her to Medicare for a determination before you assist that client to enroll in a Marketplace QHP
• Do not create or use dummy addresses in place of the consumer’s email or mailing address.

• Do not create, maintain, or request access to a client’s HealthCare.gov account or associated email account.

• You may not log in to HealthCare.gov on a consumer's behalf (i.e., using the consumer's HealthCare.gov credentials).

• If you suspect or identify potential fraud, you can report it to the Department of Health & Human Services (HHS) Office of Inspector General Hotline, the Federal Trade Commission, or the Agent/Broker Email Help Desk, depending on the situation.
Changes to Training for Plan Year 2020
HHS-approved Vendor Training Curriculum

• In addition to the MLMS, vendors may apply to be approved to offer Marketplace training for plan year 2020. (The deadline for submission of these applications for plan year 2020 was January 2019.)

• Marketplace training for plan year 2020 will be available for free via the MLMS.
The intended audience for this presentation includes both “new” and “returning” agents and brokers.

Key differences in process and requirements will be highlighted throughout the presentation.

**“New” Agents and Brokers**

- Joining the Marketplace for the first time for plan year 2020
- Participated in a previous plan year, but did NOT complete plan year 2019 Marketplace registration and training
- Required to complete the full Individual Marketplace training for plan year 2020 if assisting with individual Marketplace enrollments
- Required to execute the applicable Marketplace Agreements

**“Returning” Agents and Brokers**

- Successfully completed plan year 2019 Marketplace registration and training and are returning for plan year 2020
- Eligible for the “What's New for Returning Agents and Brokers” training for plan year 2020
- Required to execute the applicable Marketplace Agreements
Thank you for your interest in the Marketplace for plan year 2020!*

- To the extent permitted by states, licensed agents and brokers can assist consumers in applying for insurance affordability programs, including the premium tax credit and cost-sharing reductions, and enrolling in QHPs through the Marketplace.

- Agents and brokers also play a crucial role in educating consumers about the Health Insurance Marketplace®, both during the annual Open Enrollment period and throughout the plan year.

* 45 CFR § 155.20 defines “plan year” as a consecutive 12-month period during which a health plan provides coverage for health benefits. A plan year may be a calendar year or otherwise.
Prior to assisting consumers, you should:

- Understand the standards under 45 CFR § 155.220, which authorize agents and brokers to assist consumers with selecting and enrolling in QHPs offered through the Marketplace.

- Be familiar with 45 CFR § 155.260, which outlines the limits on how agents and brokers may use any information gained as part of providing assistance to a consumer.

To better understand the standards under 45 CFR §§ 155.220 and 155.260, review the guidance on the CMS Agents and Brokers Resources webpage.
Annual Cost-sharing Limits for 2020

- The maximum annual out-of-pocket limitation on cost sharing has increased to $8,150 for an individual and $16,300 for families.

Plan Category Limitations

- Marketplace consumers who qualify for a special enrollment period to change QHPs may need to select a new plan within the same plan category as his or her current plan, or wait until the next Open Enrollment if the consumer wants to change to a plan in a different category.
Individual Coverage Health Reimbursement Arrangements (HRAs) and Qualified Small Employer Health Reimbursement Arrangements (QSEHRAs)

- Beginning in 2020, employers may offer their employees an HRA that is integrated with individual market coverage ("individual coverage HRA").

- The Marketplace will present a webinar later this year to provide more information on how to help clients who are offered an individual coverage HRA or QSEHRA by their employers and want help applying for advance payments of the premium tax credit for Marketplace coverage.

Consumer Consent Requirement Includes Direct Enrollment/Enhanced Direct Enrollment Person Searches and Ongoing Account/Enrollment Maintenance

- The FFM standards of conduct specify that you must obtain consumer consent prior to assisting with Marketplace transactions.

- This standard includes getting the consumer’s consent before conducting online person searches and making updates to a consumer’s eligibility application or subsequent plan selection and enrollment. As a best practice, CMS recommends getting this consent in writing and tracking consent received.
Requirement to Maintain Valid Licensure

• CMS has updated the Individual Marketplace General Agreement* to include provisions for confirmation of your state licensure status.

• The Individual Marketplace General Agreement also includes a provision that you agree to maintain a correct and up-to-date profile in the MLMS and in the NIPR database, including your NPN, email address, and business street address.

• Consistent with the provision in the 2020 Payment Notice Final Rule (84 FR 17454 at 17517), CMS may immediately terminate your Marketplace Agreements for failure to maintain the appropriate license in every state where you actively assist consumers with enrollment in Marketplace QHPs.

Proper Use of CMS Systems

• CMS has updated the Individual Marketplace General Agreement to include a provision that you agree to the terms and conditions for accessing CMS systems when assisting consumers with enrollments in Marketplace QHPs.

• The proper uses include prohibitions against having multiple accounts, having multiple login sessions, sharing credentials, logging into HealthCare.gov on a consumer’s behalf, using scripts or automation tools to conduct person searches or to complete applications, and conducting person searches for non-Marketplace enrollment purposes (e.g., to enroll the person in a non-Marketplace plan).

• CMS may immediately suspend your access to the Marketplace if it discovers circumstances that pose unacceptable risk to Marketplace operations or Marketplace information technology systems until the incident or breach is remedied or sufficiently mitigated.

• These standards apply to your use of HealthCare.gov, the CMS Enterprise Portal, the MLMS, and the Direct Enrollment/Enhanced Direct Enrollment Pathways.
<table>
<thead>
<tr>
<th>FFM - Agents and Brokers Role</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Complete Identity Proofing</td>
<td>Complete</td>
</tr>
<tr>
<td>2. Complete Agent Broker Training</td>
<td>Complete</td>
</tr>
<tr>
<td>Individual Market</td>
<td>Complete</td>
</tr>
<tr>
<td>SHOP</td>
<td>Complete</td>
</tr>
<tr>
<td>3. Print Certificate(s)</td>
<td></td>
</tr>
</tbody>
</table>

We are in the process of updating your records and granting you the Agent Broker Role. Please stay on this page for 16.0 seconds.

Marketplace Registration and Training Process
If you wish to participate in the Marketplace for plan year 2020, you must complete the following actions:

<table>
<thead>
<tr>
<th>Step</th>
<th>Required for NEW Agents/Brokers</th>
<th>Required for RETURNING Agents/Brokers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Create/Log In to CMS Enterprise Portal account.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>2. Request the FFM Agent Broker role.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>3. Complete remote identity proofing through the Enterprise Identity Management (EIDM) System.</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>4. Complete or update your agent/broker profile on the MLMS via the CMS Enterprise Portal.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>5. Complete Marketplace training on the MLMS or through a CMS-approved vendor via the CMS Enterprise Portal.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>6. Read and accept the applicable Marketplace Agreement(s) on the MLMS.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>7. Confirm completion of all registration steps by logging back in to the “Agent Broker Registration Status” page on the CMS Enterprise Portal and printing your completion certificate.</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>
Step 1: Agent or Broker Creates a CMS Enterprise Portal Account
Step 2: Agent or Broker Requests the FFM Agent Broker Role*

Once you receive your account creation notification via email, or after waiting a few minutes for the system to update, log back in to the CMS Enterprise Portal at https://portal.cms.gov.

Enter your FFM User ID and the password you created when setting up your CMS Enterprise Portal account in Step 1.

Select the check box next to “Agree to our Terms & Conditions” and then select “Login.”

*Note: Even if you participated in the Marketplace for plan years 2014, 2015, 2016, 2017, or 2018, you will need to request the FFM Agent Broker role when you log in your CMS Enterprise Portal account if you did not complete registration for plan year 2019.
You must enter a correct NPN in your MLMS profile to receive credit for completing Marketplace registration.

- The NPN can be up to 10 digits long and must not begin with a zero.
- The NPN must not include any special characters or letters.
- The NPN is generally **not** the same as your state license number. Be sure to use your NPN, **not** a state license number **nor** the Federal Employer Identification Number (FEIN).
- To update the NPN, you can select the “Complete Agent Broker Training” hyperlink and update the information in your MLMS profile.
- Agent and broker NPNs can be found at [www.nipr.com/PacNpnSearch.htm](http://www.nipr.com/PacNpnSearch.htm).

Be sure to confirm your NPN is correct in your MLMS profile. Entering an inaccurate NPN could result in denial of compensation/credit by an issuer.
Step 5: Agent or Broker Completes Training

• For plan year 2020, Marketplace Agent and Broker Training for new agents and brokers has 10 core training modules available:
  – Introduction
  – Affordable Care Act Basics
  – Marketplace Basics
  – Eligibility for Enrolling in a QHP
  – Eligibility for Insurance Affordability Programs
  – Enrolling in a QHP
  – Privacy Standards and Definitions
  – Protecting and Handling Personally Identifiable Information
  – Information Security
  – Small Business Health Options Program (SHOP)

• There are three exams* associated with the training:
  – Basics Exam
  – Individual Marketplace Exam
  – Privacy and Security Standards Exam

* You must obtain a score of 70% or higher to pass each exam module. If you do not pass, you can re-take the exam.
Step 5: Agent or Broker Completes Training (Continued)

• Returning Individual Marketplace agents and brokers are eligible to take a condensed training (Marketplace Training for Returning Agents and Brokers) to complete the Individual Marketplace training requirement.*

• The required Marketplace Training for Returning Agents and Brokers takes approximately one hour to complete.

• Returning agents and brokers will be automatically enrolled in Marketplace Training for Returning Agents and Brokers, but can enroll in additional curricula, such as SHOP training or the full Individual Marketplace training, as desired.

* Training is only required for participation in the Individual Marketplace. If you participate in the SHOP you are encouraged, but not required, to take SHOP training.
The curriculum for the Marketplace Training for Returning Agents and Brokers consists of two required training modules, one exam, and three optional review modules.

**Required**
- Introduction to Marketplace Training for Returning Agents and Brokers
- What’s New for Returning Agents and Brokers
- Returning Agents and Brokers What’s New Exam*

**Optional**
- Basics Review for Returning Agents and Brokers
- Individual Marketplace Review for Returning Agents and Brokers
- Privacy and Security Review for Returning Agents and Brokers

* You must obtain a score of 70% or higher to pass the exam. If you do not pass, you can re-take the exam.
Step 5: Agent or Broker Completes Training (Continued)

- To ensure you are eligible for Marketplace Training for Returning Agents and Brokers, confirm that your NPN appears on the Agent and Broker FFM RCL for plan year 2019.

- If you believe you completed the plan year 2019 registration and training process, but do not find your name on the RCL, send an email to FFMProducer-AssisterHelpDesk@cms.hhs.gov for additional assistance.
Step 5b: Agent or Broker Completes HHS-approved Vendor Training

• In addition to the MLMS, third-party vendors may be approved to offer Marketplace training for plan year 2020.

• HHS-approved vendors are required to offer continuing education units (CEUs) in a minimum of five states where the Marketplace operates (45 CFR § 155.222).
  – You can use these CEUs to meet state licensure requirements for continuing education.
  – For more information on individual state CEU requirements, check with your state’s Department of Insurance.
  – The list of states where the HHS-approved vendor offers CEUs is available on the CMS Enterprise Portal “Agent/Broker Training Options” page by selecting the vendor’s “Learn More” link.
Step 5b: Agent or Broker Completes HHS-approved Vendor Training (Continued)

- HHS-approved vendors may charge a fee to take their training.
- Fees for plan year 2020 will likely range from $20-$100 depending on the curriculum completed, and CEUs are available at an additional fee.

IMPORTANT: Completing Marketplace training through a CMS-approved vendor still requires you to execute the applicable Agreement(s) on the MLMS prior to assisting consumers seeking to enroll in coverage through the Marketplace.
Step 6: Agent or Broker Executes the Agreement(s) with CMS

- If you choose to take training from an HHS-approved vendor, you will need to log back into the MLMS via the CMS Enterprise Portal to execute the applicable Agreement(s).
- You must execute the Agreement(s) associated with the Marketplace(s) you are participating in:
  - Individual Marketplace General Agreement
  - Individual Marketplace Privacy and Security Agreement
  - SHOP Privacy and Security Agreement
Step 7: Agent or Broker Confirms Completion on the Agent/Broker Registration Status Page

Your Registration Completion Certificate will include:

- Your name
- Your NPN(s)
- The market segment(s) for the certificate
- The plan year for the certificate
- The date you completed FFM registration

The issuer(s) that you are affiliated with may request to view your Registration Completion Certificate(s). However, issuers are instructed to review the Agent and Broker FFM Registration Completion List to confirm the registration status of agents and brokers.
Step 7: Agent or Broker Confirms Completion on the Agent/Broker Registration Status Page (Continued)

- You should also confirm that your information appears on the current plan year’s RCL.
- Your information may take one to two business days to appear on the RCL after completing all registration and training steps. It may take up to three business days to appear on Find Local Help.
- If your NPN does not appear for plan year 2020, go to the Marketplace Registration Tracker to check your Marketplace registration status.
  - Enter your NPN and ZIP code.
  - Information is updated once daily by 5:00 PM ET.
- If you still need assistance, send an email to: FFMProducer-AssisterHelpDesk@cms.hhs.gov.
Agent and Broker Resources
Overview of the Resources for Agents and Brokers Webpage

- Primary outlet for agents and brokers to receive information from CMS about working in the Health Insurance Marketplace®
- Provides the latest news and resources, including newsletters, webinars, fact sheets, videos, and tip sheets
- [http://go.cms.gov/CCIIOAB](http://go.cms.gov/CCIIOAB)
General Resources: Dynamic List
Now you can quickly search through over 100 resources by filtering on:

- Date uploaded
- Title
- Keywords
- Topic name
- Type of Resource
• The quarterly CMS Marketplace Agent and Broker Resource Catalog is now available.

• This catalog contains references to online resources, brief descriptions of offerings from the Agents and Brokers Resources webpage, links to informative videos and webinars, and much more.

• CMS will release an updated catalog quarterly, as new resources become available.
• Official site of the Health Insurance Marketplace®
• Primarily consumer-facing
• Use the “Search” function to search topics by key word
• Contains a link at the bottom of the page to make it easier for you to get to the Agents and Brokers Resources webpage
Clicking on the “Outreach & Education” button on Marketplace.CMS.gov takes you to this screen.

Contains links to resources you can use during Open Enrollment and throughout the year.
<table>
<thead>
<tr>
<th>Resource</th>
<th>Description</th>
<th>Link</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequently Asked Questions (FAQs) for Agents and Brokers</td>
<td>Provides answers to commonly asked questions about working with the Marketplace and helping clients enroll in and maintain their coverage</td>
<td><a href="https://www.agentbrokerfaq.cms.gov/s/">https://www.agentbrokerfaq.cms.gov/s/</a></td>
</tr>
<tr>
<td>Agent and Broker FFM Registration Completion List (RCL)</td>
<td>Public list of agents and brokers who have completed Marketplace registration; used by issuers to verify your eligibility for compensation for assisting with Marketplace consumer enrollments</td>
<td><a href="https://data.healthcare.gov/ffm_ab_registration_lists">https://data.healthcare.gov/ffm_ab_registration_lists</a></td>
</tr>
<tr>
<td>Agent and Broker Marketplace Registration Tracker</td>
<td>Searchable database that allows users to look up their Marketplace registration status with the NPN and ZIP Code saved in their MLMS profile for the current plan year</td>
<td><a href="https://data.healthcare.gov/ab-registration-tracker/">https://data.healthcare.gov/ab-registration-tracker/</a></td>
</tr>
<tr>
<td>Find Local Help</td>
<td>Tool available on HealthCare.gov that enables consumers to search for a local, Marketplace-registered agent or broker to assist with Marketplace enrollment</td>
<td><a href="https://localhelp.healthcare.gov/">https://localhelp.healthcare.gov/</a></td>
</tr>
<tr>
<td>Help On Demand</td>
<td>Consumer assistance referral system operated by BigWave Systems that connects consumers seeking assistance with Marketplace-registered, state-licensed agents and brokers in their area who can provide immediate assistance with Marketplace plans and enrollments</td>
<td><a href="https://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/Downloads/Help-On-Demand.pdf">https://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/Downloads/Help-On-Demand.pdf</a></td>
</tr>
<tr>
<td>Resource</td>
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<td>Link</td>
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</tr>
<tr>
<td>Agent and Broker NPN Search Tool</td>
<td>Enables users to search and find the correct NPN to enter in your MLMS profile and on Marketplace applications</td>
<td><a href="http://www.nipr.com/PacNpnSearch.htm">www.nipr.com/PacNpnSearch.htm</a></td>
</tr>
<tr>
<td>List of Approved Health-related Lines of Authority</td>
<td>Provides a list of valid health-related lines of authority for agents and brokers</td>
<td><a href="https://data.healthcare.gov/dataset/NIPR-Valid-Lines-of-Authority-List/wk5a-kdpd/data">https://data.healthcare.gov/dataset/NIPR-Valid-Lines-of-Authority-List/wk5a-kdpd/data</a></td>
</tr>
<tr>
<td>CMS Enterprise Portal</td>
<td>Allows you to securely complete identity proofing and access the MLMS to complete annual, required Marketplace agent and broker training and registration</td>
<td><a href="https://portal.cms.gov">https://portal.cms.gov</a></td>
</tr>
<tr>
<td>Private Partner Enrollment and Client Management Capabilities Directory</td>
<td>List of approved, participating issuers and web-brokers includes entities that offer online resources for agents and brokers, such as enrollment and client management functionality</td>
<td><a href="https://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/Private-Partner-Enrollment.html">https://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/Private-Partner-Enrollment.html</a></td>
</tr>
<tr>
<td>Linkedin for Marketplace Agents and Brokers</td>
<td>Contains posts with announcements, new resources, upcoming webinars, and more information for Marketplace agents and brokers</td>
<td><a href="https://www.linkedin.com/showcase/cms-ab">https://www.linkedin.com/showcase/cms-ab</a></td>
</tr>
</tbody>
</table>
Help Desks and Call Centers

- A full list of Agent/Broker Help Desks and Call Centers is available from the Agents and Brokers Resources webpage.
## Acronym Definitions

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEU</td>
<td>Continuing Education Unit</td>
</tr>
<tr>
<td>CMS</td>
<td>Centers for Medicare &amp; Medicaid Services</td>
</tr>
<tr>
<td>EIDM</td>
<td>Enterprise Identity Management</td>
</tr>
<tr>
<td>FFM</td>
<td>Federally-facilitated Marketplace</td>
</tr>
<tr>
<td>HHS</td>
<td>Department of Health &amp; Human Services</td>
</tr>
<tr>
<td>HRA</td>
<td>Health Reimbursement Arrangements</td>
</tr>
<tr>
<td>LOA</td>
<td>Line of Authority</td>
</tr>
<tr>
<td>MLMS</td>
<td>Marketplace Learning Management System</td>
</tr>
<tr>
<td>NIPR</td>
<td>National Insurance Producer Registry</td>
</tr>
<tr>
<td>NPN</td>
<td>National Producer Number</td>
</tr>
<tr>
<td>Acronym</td>
<td>Definition</td>
</tr>
<tr>
<td>---------</td>
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</tr>
<tr>
<td>QHP</td>
<td>Qualified Health Plan</td>
</tr>
<tr>
<td>QSEHRA</td>
<td>Qualified Small Employer Health Reimbursement Arrangements</td>
</tr>
<tr>
<td>RCL</td>
<td>Registration Completion List</td>
</tr>
<tr>
<td>SBM</td>
<td>State-based Marketplace</td>
</tr>
<tr>
<td>SBM-FP</td>
<td>State-based Marketplace on the Federal Platform</td>
</tr>
<tr>
<td>SHOP</td>
<td>Small Business Health Options Program</td>
</tr>
</tbody>
</table>
For additional information about the Marketplace Agent and Broker Program, please visit
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