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**Frequently Asked Question (FAQ) Regarding Agents and Brokers (Including Web-brokers<sup>1</sup>) and Federally-facilitated Marketplace (FFM) Online Consumer Functionality: Addendum**

Q: May agents and brokers registered with the FFMs collect limited consumer information relevant to the Marketplace eligibility application prior to initiating an application through the Federally-facilitated Marketplaces (FFMs)?

A: Yes. Agents and brokers registered with the FFMs may request from consumers limited information as an initial step in helping consumers complete an eligibility application and obtain an eligibility determination from an FFM. The collection of this information is subject to all relevant privacy and security standards under the FFM Agent/Broker and / or Web-broker agreements.<sup>2</sup> Moreover, any web site used to collect such preliminary information must contain disclaimer language informing the consumer that (1) submission of information to the non-FFM web site does not constitute a Marketplace application or a completed enrollment; and (2) an agent or broker will contact the consumer to verify the information submitted and obtain additional information necessary to fully complete the Marketplace application. We encourage all agents, brokers and Web-brokers to communicate relevant deadlines to consumers in order to ensure that consumers are aware that they must complete their application prior to these deadlines in order to receive coverage. Additionally, an agent, broker or web-broker non-FFM web sites using this process must have a protocol to ensure that an FFM -registered agent or broker contacts the consumer to verify the information submitted and obtain the remaining information necessary to complete the Marketplace application.

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<sup>1</sup> CMS uses the term “Web-broker” to describe an individual agent or broker, group of agents and brokers, or company registered with the FFEs that provides a non-Exchange Web site to assist consumers in the selection and enrollment in QHPs offered through the Marketplaces as described in 45 CFR 155.220(c)(3).

<sup>2</sup> As part of the FFM registration process, agents and brokers (including Web-brokers) must execute certain agreements, this includes the Agent Broker General Agreement for Individual Market Federally-facilitated Exchanges and State-Based Exchanges on the Federal Platform, the Agreement Between Web-based Entity and The Centers for Medicare & Medicaid Services for the Federally-facilitated Exchange and the State-Based Exchange on the Federal Platform Individual Market.