
Title: Questions and Answers for the Plan Year 2020 Vendor Training Application

Date: December 2018

Q: What is the purpose of the Application?

A: Pursuant to 45 C.F.R. § 155.222, the Centers for Medicare & Medicaid Services (CMS) is releasing the vendor training application for organizations interested in applying to become a plan year 2020 vendor of Federally-facilitated Marketplace (Marketplace) training for agents and brokers assisting consumers with enrollment through the Marketplace (including both the Individual Marketplace and Small Business Health Options Program (SHOP)).

Q: Why is CMS doing this?

A: Our intent is to make the Marketplace training and registration process easier for agents and brokers, and to attract greater agent and broker participation in the Marketplace through partnerships with third-party organizations. CMS will use the application to evaluate whether an applicant meets the requirements to become a Marketplace training vendor.

Q: How are agents and brokers impacted by this program?

A: For plan year 2020, agents and brokers will have the option to complete Marketplace training through the online platform of an approved vendor. By completing training through an approved vendor, agents and brokers are eligible to receive continuing education units (CEU) for fulfilling the Marketplace training requirement. All approved vendors will provide technical assistance to agents and brokers who access their training. Agents and brokers who complete Marketplace training through a vendor are still required to execute all applicable Marketplace Agreements with CMS prior to assisting consumers seeking to enroll in coverage through the Marketplace.

Q: What does this mean for State-based Marketplaces?

A: State-based Marketplaces have their own standards for training and registration, which must be followed by agents and brokers in those states. However, some State-based Marketplaces have received approval to utilize the federal platform to support selected eligibility and enrollment functions for the Individual Marketplace, SHOP, or both. Agents and brokers in these Marketplaces (known as State-based Marketplaces on the Federal Platform) must complete the Federally-facilitated Marketplace registration and training requirements. This includes completing agent and broker training through an approved vendor, or through the CMS Marketplace Learning Management System, in order to satisfy standards for participation in the Marketplace.

Q: How has the application changed for plan year 2020?

A: CMS has taken steps to streamline the application for plan year 2020 to minimize the administrative burden on potential applicants. CMS has eliminated duplicative questions and introduced more direct, tailored questions regarding technical requirements, testing, and quality assurance.

For plan year 2020, CMS is also requesting that prospective applicants submit a Notice of Intent via email to AgentBrokerVendor@cms.hhs.gov by 11:59 PM ET on Friday, December 21, 2018. The intent to submit an application is not binding and will be relied on by CMS for planning purposes only. Submitting a negative response or no response does not preclude an organization from submitting an application.

Q: Will agents and brokers be able to receive CEUs for Marketplace training offered by approved vendors?

A: Yes. Approved vendors must offer CEUs in at least five states in which a Federally-facilitated Marketplace or State-based Marketplace on the Federal Platform is operating.

Q: Will CMS continue to provide Marketplace training to agents and brokers?

A: Yes. For plan year 2020, CMS will continue to offer Marketplace training and registration for agents and brokers at no cost. CMS will also continue to offer technical assistance and other guidance on the process for completing Marketplace training and registration.

Q: Are conditionally approved vendors required to develop their own Marketplace training for agents and brokers?

A: No. For plan year 2020, conditionally approved vendors have two options. They can either plan, create, and deliver their own training curricula based on CMS content requirements, or they can use CMS-developed training content. Vendors that develop their own Marketplace training for agents and brokers are required to submit training content to CMS for review and approval. Applicants who do not meet CMS' standards for quality assurance during the training development and review process will be required to offer CMS-developed training content for plan year 2020.

Q: Are approved vendors permitted to supplement CMS-developed training content?

A: Yes. Vendors that wish to modify or supplement the training content provided by CMS must gain prior written approval from CMS. CMS will then establish a timeline for review and approval of the revised content. It is expected that vendors who amend or supplement CMS trainings are adequately utilizing this opportunity to provide new, substantive content to further educate agents and brokers on complex scenarios and supply sophisticated material unique to the vendor.

Q: Are vendors required to offer SHOP training for plan year 2020?

A: No. Vendors are permitted to direct agents and brokers to CMS' Marketplace Learning Management System to complete SHOP training. However, vendors are encouraged to offer SHOP training to their users.

Q: When will CMS make its training content available to conditionally approved vendors?

A: CMS will make its final Marketplace training content available to vendors approximately 30 days prior to the scheduled go-live date. More detailed schedule information will be provided in early 2019.

Q: What is the estimated go-live date for plan year 2020 Marketplace training?

A: Similar to this year, CMS intends to make Marketplace training for plan year 2020 available to agents and brokers as early as July 1, 2019, and no later than early August 2019. A final schedule will be made available to conditionally approved vendors in early 2019.

Q: Are approved vendors required to perform information verification functions for agents and brokers?

A: No. In the 2017 Payment Notice Final Rule, CMS eliminated the requirement from 45 C.F.R. § 155.222 that approved vendors perform information verification services, as CMS intends to continue performing the identity proofing function and expects that qualified health plan issuers are overseeing affiliated agents and brokers to ensure that they have the appropriate licenses required under the applicable State law.

Q: Are vendors that were approved to provide Marketplace training for agents and brokers for plan year 2019 required to reapply if they wish to participate in the vendor training program for plan year 2020?

A: Yes. According to 45 C.F.R. § 155.222(a)(3), each vendor must submit an application for each year that approval is sought. However, the application has been shortened for returning vendors to ease the administrative burden.

Q: What is the deadline and process for submitting the application and receiving approval from CMS?

A: The application is due to CMS by 11:59 PM ET on Monday, January 7, 2019. Applicants should email the application along with any attachments to CMS at AgentBrokerVendor@cms.hhs.gov. Questions should also be sent to this address. CMS anticipates conditionally approving vendors during the month of January. Final approval to provide training to Marketplace agents and brokers is contingent upon the following conditions:

1. Submission of a signed Agent Broker Vendor Agreement;
2. Submission and CMS approval of final training content (if applicable);
3. CMS approval of vendor's information technology processes, including the vendor's demonstrated ability to collect, store, and share agent and broker training completion data with CMS;
4. Offering CEU credits in a minimum of five states where the Marketplace is operating;
5. Providing technical support to agents and brokers completing the vendor's training; and
6. Compliance with CMS system standards and applicable regulatory requirements.