

Overview of Proposed Changes to SHOP Enrollment

S Small Business

H Health

November 7, 2017

O Options

P Program

Centers for Medicare & Medicaid Services (CMS) Center for Consumer Information & Insurance Oversight (CCIIO)

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 (SBMs) 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 (SBM-FPs).

Webinar Agenda

- Overview of Proposed Changes in the 2019 Payment Notice Proposed Rule
- Impacts to Federally-facilitated Small Business Health Options Programs (FF-SHOPs) and HealthCare.gov
- Issuer Participation in an FF-SHOP for Plan Years 2018 and Beyond
- Employers Participating in an FF-SHOP for Plan Years 2018 and Beyond
- Impact of Proposed SHOP Changes on Agents and Brokers
- How to Submit a Comment
- Key Reminders and Resources
- How to Manage Marketplace and REGTAP Emails
- Questions and Answers

Overview

- This presentation provides an overview of the Patient Protection and Affordable Care Act (PPACA) Department of Health & Human Services (HHS) Notice of Benefit and Payment Parameters for 2019 (2019 Payment Notice) proposed rule and the proposed responsibilities of the FF-SHOPs, qualified health plan (QHP) issuers, SHOP-registered agents and brokers, and employers participating in the FF-SHOPs for <u>plan years 2018 and beyond</u>.
- CMS previously interpreted the PPACA's provisions regarding the SHOPs to require that all SHOPs provide for employer eligibility, employee eligibility, and certain enrollment functions, including premium aggregation services.
- Through the 2019 Payment Notice proposed rule, CMS proposes to allow SHOPs to operate in a leaner fashion.

A copy of the 2019 Payment Notice Proposed Rule can be found at: https://www.federalregister.gov/documents/2017/11/02/2017-23599/patient-protection-and-affordable-care-act-benefit-and-payment-parameters-for-2019.

Overview (Continued)

- As proposed in the 2019 Payment Notice proposed rule, the FF-SHOPs*
 would operate in a leaner fashion, and State-based Exchanges would have
 the flexibility to operate a SHOP in the way they choose in accordance
 with federal and state law.
- The changes proposed in the 2019 Payment Notice proposed rule would become effective as of the effective date of the final rule, but <u>would be applicable to all 2018 plans</u>, regardless of whether they began after or before the effective date of the rule.
- The 2019 Payment Notice proposed rule does not impact SHOP policy or operations for QHP issuers, employers, or employees participating for plan year 2017.

^{*}As well as the State-based Exchanges utilizing the federal platform for SHOP

Impacts to FF-SHOPs and HealthCare.gov

Through HealthCare.gov, the FF-SHOPs would continue to provide:

- Certification of plans for sale through the FF-SHOP
- A SHOP Eligibility Determination Tool
- A website that displays QHPs and prices
- A premium calculator that generates estimated prices of the available QHPs (See Plans and Prices Tool)



- A Minimum Participation Rate (MPR) Calculator
- The Small Business Health Care Tax Credit Estimator
- The Full Time Equivalent (FTE) Employee Calculator
- The Find Local Help Tool

Impacts to FF-SHOPs and HealthCare.gov (Continued)

The FF-SHOPs would also continue to:

- Operate a call center to answer questions related to the FF-SHOPs
- Make small employer eligibility determinations and adjudicate appeals
- Investigate special enrollment period (SEP) appeals for employees



Impacts to FF-SHOPs and HealthCare.gov (Continued)

If the 2019 Payment Notice proposed rule is finalized, in connection with 2018 plan years, the FF-SHOPs **would not** provide:

- Online enrollment
- Employee eligibility determinations
- Employee eligibility appeals
- Premium aggregation services

Issuer Participation in an FF-SHOP for Plan Years 2018 and Beyond

Enrollment Periods

- Issuers offering a QHP through an FF-SHOP must:
 - Adhere to market wide enrollment periods
 - Provide SEPs for qualified current and new employees
 - Adhere to coverage effective dates for the applicable markets
- Participating QHP issuers would not be permitted to deny enrollment on the basis of failure to meet minimum participation requirements to employers who have been determined eligible to participate in the FF-SHOP, and who have met the applicable MPR.

Enrollment Process

- Issuers offering a QHP through an FF-SHOP must:
 - Provide new enrollees with an enrollment information package
 - Enroll all qualified employees consistent with the plan year of the applicable qualified employer

Employers Participating in an FF-SHOP for Plan Years 2018 and Beyond

- Employers participating in an FF-SHOP must:
 - Obtain an eligibility determination from an FF-SHOP
 - Enroll in a QHP by working with a SHOP-registered agent or broker, or with a participating issuer

The equation for calculating minimum participation would remain:

MPR = Number of Full-time Employees Enrolling in Qualified Coverage

DIVIDED BY

Number of Full-time Employees Offered SHOP Marketplace Coverage

Impact of Proposed SHOP Changes on Agents and Brokers

Agent/Broker Function	2017 Groups	2018 Groups
Window Shopping	No change from current operations	No change from current operations
Eligibility Determination	No change from current operations	Agents and brokers will assist clients with the new eligibility determination tool on HealthCare.gov.
Enrollment	No change from current operations	Agents and brokers will enroll SHOP groups using the enrollment channels of the SHOP issuer, not HealthCare.gov.
Payments	No change from current operations	Payments should be made to the issuer.

Impact of Proposed SHOP Changes on Agents and Brokers (Continued)

Agent/Broker Function	2017 Groups	2018 Groups
Notices	No change from current operations	Existing SHOP groups will receive a renewal notice from the SHOP reminding them to renew for 2018. All future notices would come from the issuer.
Account Updates	No change from current operations	Accounts will be maintained and managed with the issuer.
Questions About Account	No change from current operations	The SHOP Call Center will be available for questions regarding the SHOP. All other questions should go to the issuer.

How to Submit A Comment

- Comments on the proposed 2019 Payment Notice are due by 5 PM ET on November 27,
 2017.
- You may submit comments in one of the four ways:
 - 1. <u>Electronically</u> to http://www.regulations.gov (follow "Submit a comment" instructions)
 - **2. By regular mail** to the following address:
 - Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-9930-P, P.O. Box 8016, Baltimore, MD 21244-8016.
 - **3. By express or overnight mail** to the following address:
 - Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-9930-P, Mail Stop C4-26-05, 7500 Security Boulevard, Baltimore, MD 21244-1850.
 - **4. By hand or courier** to one of the following addresses:
 - Centers for Medicare & Medicaid Services, Department of Health and Human Services, Room 445-G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201
 - Centers for Medicare & Medicaid Services, Department of Health and Human Services, 7500 Security Boulevard, Baltimore, MD 21244-1850.
- Please note that the proposed 2019 Payment Notice preamble contains additional instructions.

2019 Payment Notice Proposed Rule

A copy of the 2019 Payment Notice Proposed Rule can be found at:

https://www.federalregister.gov/documents/2017/11/02/2017-23599/patient-protection-and-affordable-care-act-benefitand-payment-parameters-for-2019.

SHOP Online Tools

Resource	Link
Full-time Equivalent (FTE) Employee Calculator	https://www.healthcare.gov/fte-calculator/
Spanish Version	https://www.cuidadodesalud.gov/es/shop-calculators- fte/
Tax Credit Estimator	https://www.healthcare.gov/small-business-tax-credit- calculator/
Spanish Version	https://www.cuidadodesalud.gov/es/shop-calculators- taxcredit/
See Plans & Prices	https://www.healthcare.gov/see-plans/#/small-business
Spanish Version	https://www.cuidadodesalud.gov/es/see-plans/#/small- business
Minimum Participation Rate (MPR) Calculator	https://www.healthcare.gov/small-businesses/choose- and-enroll/tools-and-calculators/
Spanish Version	https://www.cuidadodesalud.gov/es/small- businesses/shop-calculators-mpr/



Overview of Proposed Changes to SHOP Enrollment



Key Reminders and Resources

Upcoming Activities

- The slides from this webinar will be available on REGTAP at
 <u>www.REGTAP.info</u> and on the

 <u>Resources for Agents and Brokers</u>
 <u>webpage</u> in the coming days.
- In addition, this webinar will be available for on-demand training on REGTAP.



Wednesdays* starting November 8 1:00-1:30 PM ET

• Marketplace Agent/Broker Open Enrollment Office Hours will take place on Wednesdays 1:00-1:30 PM ET starting November 8 throughout Open Enrollment to help you stay informed, notify you of important updates and deadlines, answer your questions, and give you an opportunity to provide real-time feedback to CMS on what you are experiencing with the Marketplace this Open Enrollment period.

^{*}Week 3 Office Hours will be held on Tuesday, November 21 1:00-1:30 PM ET due to the Thanksgiving holiday.

Plan Year 2018 Open Enrollment

- The Open Enrollment period for plan year 2018 begins on November 1, 2017 and runs through December 15, 2017.
- There are no opportunities to make an Open Enrollment plan selection after December 15.



Site Availability

- In general, HealthCare.gov will be available 24 hours a day during Open Enrollment.
- As in previous years, there are several days on which CMS teams and federal partners are permitted to conduct maintenance that will result in site downtime. This maintenance is critical to ensure that the site performs at a high level.
- This year, planned maintenance will be permitted on the following days/times:
 - Sunday, November 12, 12:00 AM–12:00 PM Eastern Time (ET)
 - Sunday, November 19, 12:00 AM–12:00 PM ET
 - Sunday, November 26, 12:00 AM-12:00 PM ET
 - Sunday, December 3, 12:00 AM–12:00 PM ET
- There is also a possibility that the FFM will perform high-priority maintenance on Sunday, December 10, 12:00 AM-7:00 AM ET.
- In many cases CMS will not need to use the entirety of these maintenance windows. The Marketplace intends to alert registered agents and brokers <u>before each weekend</u> of Open Enrollment the hours the site is expected to be available for that weekend.
- PLEASE NOTE that CMS also retains the right to perform emergency maintenance at other times if absolutely necessary.

Reporting Potential Fraud or Abuse

- You play an important role in observing and reporting any potentially fraudulent practices taking place in relation to the Marketplace.
- If you suspect that a consumer or another agent or broker has engaged in fraud or abusive conduct, report your concerns to one of the following:

Examples of Potential Fraud or Abuse

A client tells you he has been contacted by an individual seeking his personal and financial information.

A consumer submits false documentation to the Marketplace.

An agent or broker is enrolling consumers without their consent.

An agent or broker is assisting consumers without a valid license or without completing Marketplace registration. An agent or broker has disclosed a consumer's personally identifiable information.

Name	Contact	Topics
HHS Office of Inspector General Hotline	1-800-HHS-TIPS (1-800-447-8477) or https://forms.oig.hhs.gov/hotlineoperations/ind ex.aspx	HHS employee fraud or misconduct Grant and contract fraud Submission of false information
Federal Trade Commission	https://www.ftccomplaintassistant.gov	Identity theft Contact from someone posing to be from the government
Agent/Broker Email Help Desk	FFMProducer-AssisterHelpDesk@cms.hhs.gov	Unregistered agents or brokers operating in the Marketplace Inappropriate agent or broker marketing practices

Health Insurance Marketplace Direct Agent/Broker Partner Line

Agents and brokers who have completed plan year 2018 Marketplace registration may access this enhanced service for assistance with questions related to Individual Marketplace consumer enrollments by following the steps below.

- 1. Call 855-788-6275.
- 2. Enter your National Producer Number (NPN).
 - Only agents/brokers registered with the Marketplace can use this service.
 - Valid NPNs will be updated weekly (typically on Fridays).
- 3. After you have entered a valid NPN, you will be presented with three options:
 - Assist consumers with HealthCare.gov account password resets
 - SEPs that are not common/available through the consumer application
 - Other issues
- If you enter an invalid NPN, you will be transferred to the main Marketplace Call Center line.
- The Direct Agent/Broker Partner Line is most helpful for password resets and non-standard SEPs.

Agent/Broker Marketplace Help Desks and Call Centers

Help Desk Name	Phone # and/or Email Address	Types of Inquiries Handled	Hours of Operation (Closed Holidays)
Direct Agent/Broker Partner Line	855-788-6275 Note: Enter your NPN to access this line.	 Inquiries related to specific consumers: Assist consumers with HealthCare.gov account password resets SEPs not available on the consumer application Eligibility and enrollment issues related to the Individual Marketplace 	Monday—Sunday 24 hours/day
Agent/Broker Email Help Desk	FFMProducer- AssisterHelpDesk @cms.hhs.gov	 General enrollment and compensation questions Identity proofing/Experian issues requiring manual verification Escalated general registration and training questions (not related to a specific training platform) Agent/Broker Registration Completion List issues Find Local Help issues 	Monday–Friday 8:00 AM–6:00 PM ET

Agent/Broker Marketplace Help Desks and Call Centers (Continued)

Help Desk	Phone # and/or	Types of Inquiries Handled	Hours of Operation
Name	Email Address		(Closed Holidays)
Marketplace Service Desk	855-CMS-1515 855-267-1515 CMS_FEPS@cms .hhs.gov	 Password resets and account lockouts on the CMS Enterprise Portal (used to access the Marketplace Learning Management System (MLMS), the agent/broker training and registration system) Login issues on the agent/broker landing page used for Direct Enrollment (often due to the FFM User ID not populating correctly when the agent or broker is redirected from an issuer's or web-broker's site) Other CMS Enterprise Portal account issues, requests, or error messages 501 Downstream Error message on HealthCare.gov website issues General registration and training questions (not related to a specific training platform) 	Monday-Friday 8:00 AM-8:00 PM ET Saturday-Sunday 10:00 AM-3:00 PM ET (October-November only)

Agent/Broker Marketplace Help Desks and Call Centers (Continued)

Help Desk Name	Phone # and/or Email Address	Types of Inquiries Handled	Hours of Operation (Closed Holidays)
Agent/Broker Training and Registration Email Help Desk	MLMSHelpDesk @cms.hhs.gov	 Technical or system-specific issues related to the agent/broker training and registration system (i.e., the MLMS) User-specific questions about maneuvering in the MLMS site, or accessing training and exams 	Monday–Friday 8:00 AM–5:30 PM ET
Small Business Health Options Program (SHOP) Call Center	800-706-7893	 All inquiries related to the SHOP SHOP agent/broker portal access questions 	Monday–Friday 9:00 AM–7:00 PM ET
Direct Enrollment (formerly Web- Broker) Email Help Desk	DirectEnrollment @cms.hhs.gov	All inquiries specifically related to becoming and/or operating as a direct enrollment web-broker in the Marketplace	Monday–Friday 9:00 AM–5:00 PM ET

Agent/Broker Marketplace Help Desks and Call Centers (Continued)

Help Desk Name	Phone # and/or Email Address	Types of Inquiries Handled	Hours of Operation (Closed Holidays)
America's Health Insurance Plans (AHIP) Training Help Desk	support@ahipins uranceeducation. org 800-984-8919	All inquiries specifically related to the AHIP agent/broker training platform	Call Center/Email Monday-Friday: 8:00 AM-7:00 PM ET Saturday: 8:30 AM-5:00 PM ET
Litmos Training Help Desk	cmsffmsupport@ litmos.com 844-675-6565	All inquiries specifically related to the Litmos agent/broker training platform	Call Center Monday-Friday 9:00 AM-5:00 PM PT (12:00 PM-8:00 PM ET) Email 24 hours/day
National Association of Health Underwriters (NAHU) Training Help Desk	NAHU- FFM@nahu.org 844-257-0990	All inquiries specifically related to the NAHU agent/broker training platform	Call Center: Monday-Friday: 9:00 AM-5:00 PM ET Technical Support: Monday-Friday: 8:00 AM-9:00 PM ET Saturday-Sunday: 8:00 AM-8:00 PM ET

Tips from the Marketplace Call Center

- In most cases, you can use self-service options at HealthCare.gov to assist consumers enrolling in individual market QHPs through the Marketplace without contacting the Marketplace Call Center. Using self-service options frees up Customer Service Representatives (CCRs) for more complex cases and reduces wait times for everyone.
- If you need help assisting a consumer, you may contact the Marketplace Call Center.
 - Available in English and Spanish 24 hours a day, seven days a week
 - Closed on Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day
- When you need to contact the Marketplace Call Center, try to avoid the following:
 - Calling during peak times, especially between 10:00 AM and 2:00 PM ET
 - Calling around the enrollment deadline (i.e., December 10–15)
 - Calling during HealthCare.gov outages (CCRs use the same tool for application/enrollment assistance)

Tips from the Marketplace Call Center (Continued)

- When contacting the Marketplace Call Center, consumers can grant permission to allow you to access their account information.
 - This Marketplace Call Center authorization is not the same as ensuring your NPN is on the consumer's application for payment purposes with issuers.
- Consumers will be asked to:
 - Provide the Marketplace Call Center with your full name and NPN
 - Elect the length of time the authorization is valid; this can be one call or up to 365 days
 - Update the authorization as needed prior to the beginning of Open Enrollment
- This authorization allows you to:
 - Call the Marketplace Call Center and access a consumer's information on the consumer's behalf
 - Participate in a three-way call with a Marketplace CCR and the consumer

When Is It Appropriate for Agents and Brokers to Seek Marketplace Call Center Assistance?

- You may direct consumer application questions or issues to the Marketplace Call Center.
- The following complex consumer situations may require support from the Marketplace Call Center:
 - You need to check the status of a consumer's data matching or SEP verification issue.
 - The consumer is part of a multi-tax household, and requires guidance on which household members should be part of different application groups.
 - You or the consumer are having technical difficulties completing the online application.
- For password resets for consumer HealthCare.gov accounts and SEPs not available on the consumer application, use the Direct Agent/Broker Partner Line (855-788-6275). You will need to enter your NPN to gain access.

When Is It Not Appropriate for Agents and Brokers to Seek Marketplace Call Center Assistance?

- The consumer (or you with the consumer's assistance) has not attempted to complete all required data fields in the online application.
 - Note that the Marketplace Call Center is not staffed to enter consumer information for multiple applications.
- The consumer does not have ready access to personal information and/or specific documentation required to complete enrollment.
 - Use the <u>Marketplace Application Checklist</u> when helping consumers complete their applications and to be sure they are prepared before they contact the Marketplace Call Center.
- You do not have a current Marketplace Call Center authorization and the consumer is not on the line.
 - Remember, Marketplace Call Center CCRs will not provide you any information about a consumer's application if the consumer is not part of the three-way call or has not previously authorized you to work on his or her behalf.

Agent and Broker Resources

Resource	Link
Agents and Brokers Resources webpage	http://go.cms.gov/CCIIOAB
HealthCare.gov	https://www.healthcare.gov/
Outreach and Education Materials on Marketplace.CMS.gov	https://marketplace.cms.gov/outreach-and-education/outreach-and-education.html
Plan Year 2018 Marketplace Registration and Training for Agents and Brokers	https://www.cms.gov/CCIIO/Programs-and- Initiatives/Health-Insurance-Marketplaces/Plan- Year-2018-Registration-and-Training.html
Registration Completion List on Data.HealthCare.gov	https://data.healthcare.gov/ffm ab registration lists
Twitter updates @HealthCareGov	https://twitter.com/search-home
"News for Agents and Brokers" Newsletter	Distributed via email and available on the Agents and Brokers Resources webpage at http://go.cms.gov/CCIIOAB

Agent and Broker Resources (Continued)

Resource	Link
SHOP at HealthCare.gov	https://www.healthcare.gov/small-businesses/
SHOP Agent/Broker Portal	https://healthcare.gov/marketplace/small- businesses/agent
Find Local Help Tool	https://localhelp.healthcare.gov/
Help On Demand	https://www.cms.gov/CCIIO/Programs-and- Initiatives/Health-Insurance- Marketplaces/Downloads/Help-On-Demand.pdf
Agent and Broker NPNs	www.nipr.com/PacNpnSearch.htm
Regulation 45 CFR 155.220 authorizing agents and brokers to assist consumers with selecting and enrolling in QHPs offered through the Marketplaces	https://www.ecfr.gov/cgi- bin/retrieveECFR?gp=&SID=a53964f7a759ab78223869 8f8ad6oaoc&mc=true&r=SECTION&n=se45.1.155_1220
Patient Protection and Affordable Care Act Market Stabilization Final Rule	https://www.gpo.gov/fdsys/granule/FR-2017-04- 18/2017-07712/content-detail.html

Shortcut to Agent/Broker Resources Page from HealthCare.gov

 HealthCare.gov contains a link to make it easier for you to get to the Agents and Brokers Resources webpage (http://go.cms.gov/CCIIOAB).





Overview of Proposed Changes to SHOP Enrollment



How to Manage Marketplace and REGTAP Emails

Marketplace Emails



- The Marketplace strives to keep you updated on the most valuable information relating to enrollment, registration and training reminders, deadlines, and more.
- You are automatically subscribed to emails once you complete registration and training for the current plan year.
- If you have not completed registration and training and would like to receive general updates, you can subscribe to Marketplace emails at https://www.healthcare.gov/lp/agents-and-brokers/.

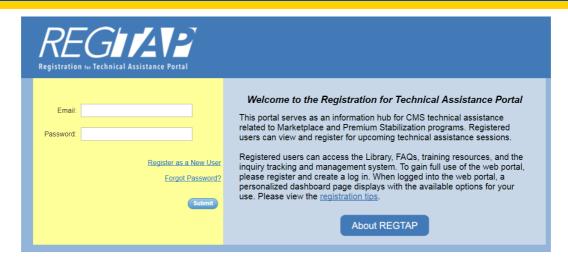
Managing Marketplace Emails

You can manage your Marketplace email communication preferences and the specific topic lists you subscribe to via the Subscriber Preferences page at https://public.govdelivery.com/accounts/USCMSHIM/subscriber/new?preferences=true.

- To receive fewer emails from the Marketplace:
 - Select the Email Frequency tab.
 - Next to Send me fewer emails, select Yes.
 - Select Save.
- You can change your preferences at any time by following these same steps and updating your selection.
- To unsubscribe from all emails from the Marketplace:
 - Select the Manage Subscriptions tab.
 - Select **Delete my account**.



Managing REGTAP Email Notifications



- A REGTAP account provides access to other resources, such as agent/broker frequently asked questions and on-demand training.
 - There is a consolidated view of all agent/broker REGTAP resources through the dedicated Agent/Broker Program Area page.
 - Visit <u>www.regtap.info/</u> to register for a REGTAP account.
- REGTAP will send automated email notifications about events you have registered for.
- If you already have a REGTAP account and would like to opt out of REGTAP email notifications, please contact REGTAP Registration Support by phone at 800-257-9520 from 9:00 AM-5:00 PM ET Monday through Friday, or by email at registrar@REGTAP.info.

Acronym Definitions

Acronym	Definition
AHIP	America's Health Insurance Plans
CCR	Call Center Representative
CAC	Certified Application Counselor
CCIIO	Center for Consumer Information and Insurance Oversight
CFR	Code of Federal Regulations
CMS	Centers for Medicare & Medicaid Services
FFM	Federally-facilitated Marketplace
FF-SHOP	Federally-facilitated Small Business Health Options Program
FTE	Full Time Equivalent
MLMS	Marketplace Learning Management System
MPR	Minimum Participation Rate

Acronym Definitions

Acronym	Definition
NAHU	National Association of Health Underwriters
NPN	National Producer Number
PPACA	Patient Protection and Affordable Care Act
QHP	Qualified Health Plan
REGTAP	Registration for Technical Assistance Portal
SBM	State-based Marketplace
SBM-FP	State-based Marketplace on the Federal Platform
SEP	Special Enrollment Period
SHOP	Small Business Health Options Program
SSN	Social Security Number