



Title: Questions and Answers for the Plan Year 2017 Vendor Training Application

Date: February 1, 2016

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 2017 vendor of Federally-facilitated Marketplace (FFM) training for agents and brokers assisting consumers with enrollment through the FFM (including both the Individual and Small Business Health Options Program (SHOP) Marketplaces).

Q: Why is CMS doing this?

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

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

A: For plan year 2017, agents and brokers will have the option to complete FFM training through the online platform of an approved vendor. Any approved vendor will also provide technical assistance to those agents and brokers who access its training. Agents and brokers who complete FFM training through a vendor will still need to execute all applicable FFM Agreements with CMS prior to assisting consumers seeking to enroll in coverage through an FFM.

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

A: State-based Marketplaces have their own standards for training, information verification and registration, which must be followed by agents and brokers in those states. Agents and brokers in states where consumers apply for and select coverage through HealthCare.gov will have the option of completing training and other requirements for registration through an approved vendor, or through the CMS Marketplace Learning Management System, in order to satisfy standards for participation in the states' Individual and SHOP Marketplaces.

Q: How has the application changed for plan year 2017?

A: Per the Department of Health & Human Services (HHS) Notice of Benefit and Payment Parameters for 2017 Proposed Rule (80 Fed. Reg. 75487), CMS may modify 45 C.F.R § 155.222 to remove the requirement for vendors to perform information verification functions, to include state licensure verification and identity proofing. If finalized as proposed, these requirements will no longer apply for plan year 2017. As explained in this rulemaking, CMS is eliminating these requirements because they are duplicative of QHP issuer requirements and FFM functions. QHP issuers are required under 45 C.F.R. § 156.340(a)(3) to ensure their delegated and downstream entities, which include affiliated agents and brokers, comply with the standards of 45 C.F.R. § 155.220 with respect to assisting with enrollments in QHPs, including the requirement to comply with applicable state law under 45 C.F.R. § 155.220(e). In addition, the FFM will continue to

provide identity proofing services to facilitate the registration of agents or brokers as required by 45 C.F.R. § 155.220(d)(1).

The plan year 2017 application also includes new and revised questions that clarify requirements in the following areas:

- Technical assistance and help desk support for agents and brokers completing FFM vendor training
- Quality assurance plans
- Functional and performance testing
- Capacity to collect, store, redirect, and transmit data to CMS

Q: Will agents and brokers be able to receive continuing education units (CEUs) for FFM training offered by approved vendors?

A: Approved vendors must offer CEUs in at least five states in which an FFM is operating. In the HHS Notice of Benefit and Payment Parameters for 2017 Proposed Rule (80 Fed. Reg. 75487), CMS proposed to include states with State-based Exchanges that use the Federal HealthCare.gov platform in the requirement to offer CEUs in five FFM states. If finalized as proposed, the CEU requirement would also extend to Hawaii, Oregon, Nevada, and New Mexico.

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

A: For plan year 2017, CMS will continue to offer FFM training and registration for agents and brokers in the Individual and SHOP Marketplaces at no cost to agents and brokers. CMS will also continue to offer technical assistance and other guidance on the process for completing FFM training and registration.

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

A: No. For plan year 2017, 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 FFM training for agents and brokers are required to submit training content for CMS review and approval.

Q: Are approved vendors required to offer FFM training for agents and brokers in Spanish?

A: Approved vendors have the option to provide Spanish language training, but are not required to do so at this time.

Q: Are vendors that were approved to provide FFM training for agents and brokers for plan year 2016 required to reapply for plan year 2017?

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.

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 on Friday, February 19, 2016. 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 March. Final approval to provide training to FFM 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 and information technology processes;
3. Offering CEU credits in a minimum of five states where the FFM is operating;
4. Providing technical support to agents and brokers completing the vendor's training; and
5. Compliance with CMS system standards and applicable regulatory requirements.

Q: What is the estimated go-live date for plan year 2017 FFM training?

A: CMS intends to make FFM training for plan year 2017 available to agents and brokers mid-summer 2016.

Q: What key milestones should potential vendors be aware of leading up to the estimated go-live date if they elect to develop their own training curricula?

A: Vendors that elect to develop their own FFM training curricula based on CMS content requirements must create and submit design documents, storyboards, and draft online content for CMS review and approval throughout the spring of 2016. CMS will provide conditionally approved vendors with additional details on the timelines and requirements for this process after the application review is complete.