

Health Insurance Marketplace 2016 Open Enrollment

Open Enrollment Week 11

Operational Updates and Announcements for Agents and Brokers Participating in the Federallyfacilitated Marketplaces (FFMs)

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), but some of the material in it might be relevant if you are in a state with an SBM that is using 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.



Health Insurance Marketplace 2016 Open Enrollment



Updates and Announcements

Time's Running Out for Plan Year 2016 Open Enrollment



 Only three weeks remaining for plan year 2016 Open Enrollment

Key Open Enrollment Dates for Plan Year 2016

Novem	ber 1.	2015
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November 15, 2015 – December 15, 2015

December 17, 2015* (December 18 – 3:00 AM ET)

January 1, 2016

January 15, 2016* (January 16 – 3:00 AM ET)

January 31, 2016 (February 1 – 3:00 AM ET)

February 1, 2016

March 1, 2016

- HealthCare.gov is available for plan year 2016 Open Enrollment
- Employers signing up for SHOP Marketplace coverage do not have to meet the participation rate requirement
- Extended deadline for consumers to enroll in coverage through the Individual and SHOP Marketplaces effective January 1, 2016
- Coverage begins for consumers who enrolled through the FFMs by December 15, 2015
- Deadline for consumers to enroll in coverage through the FFMs effective February 1, 2016
- End of plan year 2016 Open Enrollment for the FFMs; deadline for consumers to enroll in coverage through the FFMs effective March 1, 2016
- Coverage begins for consumers who enrolled through the FFMs by January 15, 2016
- Coverage begins for consumers who enrolled through the FFMs by January 31, 2016
- *The SHOP Marketplace is open all year long. Applications submitted by 11:59 PM Eastern Time (ET) on the 15th of the month may go into effect as soon as the first day of the next month.

Open Enrollment Snapshot

As of December 26, 2015:

8.5+ million consumers

- Have signed up for health coverage through the HealthCare.gov platform, or
- · Had their coverage automatically renewed

6 million consumers

- Had coverage renewed (included in the total 8.5+ million consumers)
- Roughly 3.6 million actively renewed
- About 2.4 million were automatically renewed

60% of plan year 2015 consumers

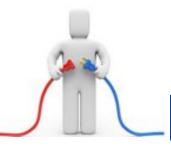
 Have returned to the FFMs for plan year 2016 coverage

Tips from the Marketplace Call Center

- To reduce wait times at the Marketplace Call Center, do not wait until the last minute to seek assistance.
 - Avoid calling during peak times of the day and certain dates especially between the hours of 9:00 AM and 12:00 PM ET, 4:00 PM ET and 6:00 PM ET, and around January 13-15, and January 29-31, 2016.
- Every 365 days, consumers need to reauthorize the Marketplace Call Center to allow an agent/broker to work on their behalf.
 - Complete these reauthorizations during off-peak hours and avoid enrollment deadline days whenever possible.

What Consumers Need to Know

Consumers need help making the connection between



Premium Tax Credits

Filing Their Taxes

and

Many consumers are unaware that:

- (1) They must reconcile their advance payments of the premium tax credit (APTC) or claim the premium tax credit (PTC) for the first time.
- (2) They may have to pay a fee if they did not maintain minimum essential coverage (MEC).
- (3) They may qualify for an exemption from the fee.

Form 1095-A, The Health Insurance Marketplace Statement

- Marketplaces must give consumers information about their health coverage so they can:
 - File their federal income taxes
 - Reconcile APTC
 - Claim the PTC
- The FFMs will send consumers and the Internal Revenue Service (IRS) a Health Insurance Marketplace statement, Form 1095-A. For the 2015 tax year, the FFMs must postmark these forms by January 31, 2016.
- Consumers will use Form 1095-A to complete Form 8962, and will submit only Form 8962 to the IRS as part of their tax returns.

FFM Dissemination of Form 1095-A

- By January 31, 2016, the FFMs will:
 - Mail a paper copy of Form 1095-A to the last known address of each tax filer or other responsible adult and
 - Upload Form 1095-A to consumers' online Marketplace website accounts
- The IRS will also receive the information included on Form 1095-A from the Marketplaces.

A tax filer is someone who:

- Enrolled in a qualified health plan (QHP) on behalf of one or more individuals, and **received APTC**

Other responsible adult is someone who:

 Enrolled in a QHP on behalf of one or more individuals, but did not receive APTC

What Consumers Will Receive

By January 31, 2016, the FFMs will mail each tax filer and responsible adult an envelope labeled "Important Tax or Health Coverage Information Inside," which will include:

- Cover letter
 - Available in either English or Spanish, depending on consumer's language preference
- Form 1095-A instructions
 - Line-by-line instructions developed by the IRS
- Form 1095-A
 - A separate Form 1095-A will be generated for each policy in which members of the household enrolled.
 - Each member of a tax household who is on the same policy will be listed together on one Form 1095-A.
 - Households of more than five enrolled members will receive an additional Form 1095-A that continues Part II.

Form 1095-A Tips and Reminders for FFM Consumers

To help reduce Form 1095-A errors and ensure timely delivery of the Form 1095-A:

- Consumers reenrolling in coverage through the Marketplaces are encouraged to make any changes or updates to their mailing addresses as soon as possible.
- Consumers enrolling in coverage through the Marketplaces for the first time, or who have not previously used an online account, are encouraged to create their online accounts before January 1, 2016 to ensure they have access to their Form 1095-As.
- Consumers should save a copy of their Form 1095-A.

The Role of Agents and Brokers during Tax Season

- Agents and brokers may:
 - Help consumers understand what Form 1095-A is and what it means for the consumer as they prepare their taxes
 - Help consumers understand the timing for receiving Form 1095-A, what to look for in the mail, and that it is an important tax document
 - Show consumers how to access Form 1095-A in their online accounts
 - Help consumers understand how Form 1095-A relates to Form 8962
 - Explain how to review Form 1095-A for accuracy
 - Ensure consumers are aware of the potential implications of not providing the information on their taxes
 - Help consumers understand how to reconcile their APTC and PTC
- Agents and brokers may not provide assistance to consumers with filing taxes.

Agent and Broker Health Insurance Marketplace Open Enrollment Weekly Updates and Announcements UPDATED WEBINAR SCHEDULE

- To register for any of these sessions, please log in to <u>www.REGTAP.info</u> and complete the following steps:
 - Select "Training Events" from "My Dashboard."
 - Select the "View" icon next to the event title for the webinar you are interested in attending.
 - Select "Register Me."

Tuesdays: 3:00–4:00 PM ET January 12, 2016

January 19, 2016

January 26, 2016

Reporting Personally Identifiable Information Breaches

- All agents and brokers that participate in the FFMs must execute and comply with the Marketplace Agreements (i.e., Individual Marketplace General and Privacy & Security Agreements, SHOP Marketplace Agreement) in order to continue to participate in the FFMs.
- As part of the Marketplace Agreements, all agents and brokers should ensure appropriate monitoring and other means and methods to identify and report personally identifiable information (PII) breaches.
- A breach is a compromise, unauthorized disclosure, unauthorized acquisition, unauthorized access, or loss of control that refers to situations where unauthorized users have access or potential access to PII or when PII is used for an unauthorized purpose.

Reporting PII Breaches (cont.)

- An agent or broker must write and implement breach handling policies and procedures that:
 - Identify personnel authorized to access PII and responsible for reporting and managing breaches to CMS
 - Provide details regarding the identification, response, recovery, and follow-up of breaches, which should include information regarding the potential need for CMS to immediately suspend or revoke the agent's or broker's access to the Data Services Hub (the Hub) for containment purposes
 - Require reporting any breaches of PII to the CMS IT Service Desk by telephone at 1-410-786-2580 or 1-800-562-1963 or via email notification to <u>cms_it_service_desk@cms.hhs.gov</u>
- Any incident that involves compromised PII/PHI must be reported within one (1) hour of detection.

Reporting PII Breaches (cont.)

- Failure to comply with the requirements to report PII breaches as stated in the Marketplace Agreements could result in termination of the agent or broker from the FFMs.
- More information on CMS' incident and breach notification procedures is available at https://www.cms.gov/research-statistics-data-and-systems/cms-information-technology/informationsecurity/downloads/rmh_viii_7-1_incident_handling_standard.pdf.

Providing Accurate Information to the FFMs

- As part of the Marketplace Agreements, all agents and brokers agree to take reasonable steps to ensure that information provided to the Marketplace is accurate and that data has not been altered or destroyed in an unauthorized manner, thereby ensuring the confidentiality, integrity, and availability of information.
- Per the Marketplace Agreements, an agent or broker must also offer consumers an opportunity to request corrections to information maintained and/or stored by an agent or broker if the consumer believes that the information is not accurate.

Providing Accurate Information to the FFMs (cont.)

- An agent or broker must also implement data quality and integrity policies and procedures that:
 - Provide instructions as to how a consumer should address requests to the agent or broker.
 - Provide instructions to the consumer that specify that each request submitted to the agent or broker must include the information the consumer wishes to correct and the reasons for requesting such correction, along with any supporting justification or evidence.
 - Grant or deny requests within 10 business days.
 - Result in the agent of broker correcting the information if he or she agrees that the identified information is not accurate.
 - Result in the agent or broker informing the requestor in writing that the change has been denied if the agent or broker does not agree that the information should be corrected. The written notice must include the applicable appeal steps.

Draft 2017 Letter to Issuers in the FFMs

- On December 23, 2015, CMS issued proposed guidance to issuers regarding oversight of agents and brokers. The Draft 2017 Letter to Issuers in the FFMs is available at:
 https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/Draft-2017-Letter-to-Issuers-12-23-2015_508.pdf.
- Please refer to Chapter 5: Qualified Health Plan Performance and Oversight; Section 4. FFM Oversight of Agents and Brokers, for additional proposed oversight of agents and brokers.
- Public comment on the proposed guidance is open until January 17, 2016. Please send all comments to FFEcomments@cms.hhs.gov.

New Research Findings on Small Employers and the SHOP Marketplaces

The Robert Wood Johnson Foundation recently commissioned a study to understand small employers and their feelings on the SHOP Marketplaces.

Join us for a webinar this week to discuss the research findings.

Webinar Information

WHO: Business leaders, small business owners, agents and brokers

WHEN: Thursday, January 14, 2016 at 3:30-4:30 PM ET

RSVP: https://attendee.gotowebinar.com/register/1082974244962682114

New Research Findings on Small Employers and the SHOP Marketplaces: Highlights

There is an awareness gap about the SHOP Marketplaces.

- There is a big awareness gap about the SHOP Marketplaces depending on whether a business offers insurance or not.
- Those who currently offer coverage are much more likely to say they know about the SHOP Marketplaces before hearing a description than those who do not offer coverage (69% vs. 37%).

Three in 10 looked into the SHOP Marketplaces.

- Employers who offer coverage were much more likely to look into the SHOP Marketplaces than those who do not (45% vs. 14%).
- Eleven percent of all small employers say they purchased their company's insurance through the SHOP Marketplaces.

New Research Findings on Small Employers and the SHOP Marketplaces: Highlights (cont.)

They like the SHOP Marketplaces' features.

- All of the SHOP Marketplaces' features tested in the survey are appealing to small employers (all received above 80% saying they are "important").
- The top features are the tax credit and being able to set their contribution amount.

The top reasons for small employers to use the SHOP Marketplaces: the tax credit and the opportunity to find affordable plans.

 Being able to set their contribution amount, offer employees a wide choice of plans, and have an easy and convenient experience are other reasons for small employers to use the SHOP Marketplaces next time they need health insurance for their company.

New Research Findings on Small Employers and the SHOP Marketplaces: Some Takeaways

Target Small Employers Who Currently Offer Health Insurance

1. They are most likely to look into the SHOP Marketplaces.

These employers tend to be companies with 10 or more employees and to think it is very important that their employees have coverage. Most intend to continue offering health insurance in the future and 9 in 10 say they are likely to look into the SHOP Marketplaces the next time they need insurance. Bottom-line: Going to the SHOP Marketplaces is an "easy lift" for these employers – they understand the importance of insurance and are interested in exploring their options.

2. Emphasize the tax credit, the wide selection of plans, and their ability to set their contribution amount.

These are the best messages for employers who offer coverage. However, keep in mind that while the tax credit is a top message, only companies with 25 or fewer employees can qualify (so be careful not to oversell it).

Overall, the survey suggests simply educating these small employers about the features of the SHOP Marketplaces versus how they currently obtain their coverage could engage them. Working through insurance brokers is also helpful with this group, since 3 in 4 of these employers use them already.

New Research Findings on Small Employers and the SHOP Marketplaces

- View the full study at: <u>http://www.rwjf.org/en/library/research/2015/11/small-employers-and-the-small-business-health-options-program-s.html.</u>
- To register for the webinar on Thursday, January 14, 2016 at 3:30 PM ET, visit: https://attendee.gotowebinar.com/register/1082974244962682114.



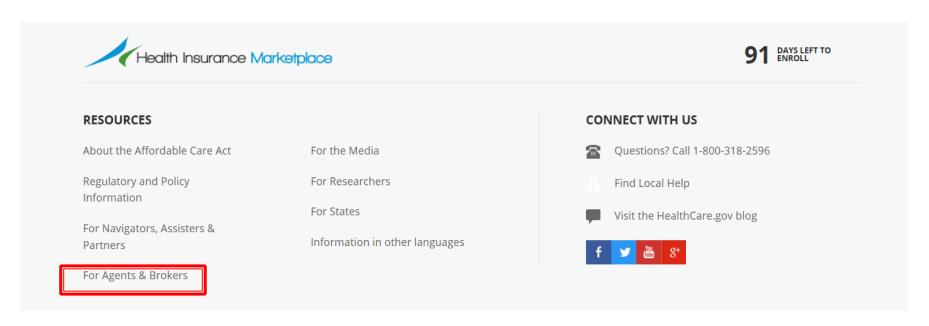
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Agent and Broker Resources

New Agent and Broker Resource Link at HealthCare.gov

 A new "For Agents and Brokers" link has been added at HealthCare.gov, making it easier for agents and brokers to get to the Agents and Brokers Resources webpage (http://go.cms.gov/CCIIOAB).



New Call Center Support for Agents and Brokers

Agents and brokers can call **1-855-CMS-1515** (855-267-1515) and select option "1" to speak with Agent and Broker Call Center Representatives during the following times:

- The Agent and Broker Call Center will be open Monday through Saturday from 8:00 AM-10:00 PM ET in January, and will be closed on Sundays and holidays with the following exception: The Call Center will be open 24 hours on Sunday, January 31, 2016.
- Call Center Representatives can help you with questions on topics like:

_	Agents' and brokers' User IDs for FFM registration and training	_	The new Marketplace Learning Management System (MLMS) and CMS-approved vendor training options
-	National Producer Numbers (NPNs)	_	Password resets and account lockouts on the CMS Enterprise Portal
_	Log in issues at the <u>HealthCare.gov</u> landing page (when an agent or broker is redirected from an issuer's or web-broker's site)	_	<u>HealthCare.gov</u> website issues

Note: Agents and brokers should direct specific questions or issues with a consumer's Individual Marketplace application to the Marketplace Call Center at **1-800-318-2596**. Agents and brokers should direct questions related to SHOP Marketplace coverage to the SHOP Call Center at **1-800-706-7893**.

Agent and Broker Resources

- Agents and brokers can direct consumers to more information about how Marketplace coverage will affect their taxes by encouraging them to visit HealthCare.gov/taxes/ or call the Marketplace Call Center at 1-800-318-2596 (TTY: 1-855-889-4325).
- If a consumer has questions about his or her taxes, needs Form 8962 or 8965, or wants to learn more about the fee for not having health coverage, direct them to visit <u>IRS.gov.</u> A toll-free line is also available for routine customer service at (800) 829-1040.
- *Instructions for completing Form 1095-A can be found at:*
 - http://www.irs.gov/pub/irs-pdf/f1095a.pdf
 - http://www.irs.gov/pub/irs-pdf/iio95a.pdf
- Instructions for completing Form 8962 can be found at:
 - http://www.irs.gov/pub/irs-prior/f8962--2014.pdf
 - http://www.irs.gov/pub/irs-pdf/i8962.pdf
- For more information on the Affordable Care Act tax provisions visit: https://www.irs.gov/Affordable-Care-Act.

- For tax facts about the Affordable Care Act for individuals and families visit: http://www.irs.gov/uac/Newsroom/Tax-Facts-about-the-Affordable-Care-Act-for-Individuals-and-Families.
- For information on the Individual Shared Responsibility provisions on claiming or reporting exemptions visit: https://www.irs.gov/Affordable-Care-Act/Individuals-and-Families/ACA-Individual-Shared-Responsibility-Provision-Exemptions.
- To help consumers find health coverage exemptions that apply to them direct them to: https://www.healthcare.gov/exemptions-tool/#/.
- *IRS Publication 974 can be found at:* http://www.irs.gov/pub/irs-pdf/p974.pdf.

- Additional resources can be found on CMS' Agents and Brokers Resources webpage: http://www.cms.gov/CCIIO/programs-and-initiatives/health-insurance-marketplaces/a-b-resources.html.
- Additional information agents and brokers can use to educate consumers can be found at: <u>HealthCare.gov</u> and <u>Marketplace.CMS.gov</u>.
- The list of CMS-approved training vendors can be found at: http://go.cms.gov/CCIIOAB.
- For more information on registration and training requirements, please review the following resources on the Agents and Brokers Resources webpage at: http://go.cms.gov/CCIIOAB:
 - Slides from the "FFM Agent and Broker Plan Year 2016 Registration and Training Requirements" webinar that was held in July and August 2015
 - Slides from the "Guidance on Plan Year 2016 FFM Registration and Training for Agents and Brokers" webinar that was held in September 2015
 - Quick Reference Guide Plan Year 2016 FFM Registration for Agents and Brokers
 - FFM agent and broker plan year 2016 registration and training videos
- Agent and Broker NPNs can be found at: <u>www.nipr.com/PacNpnSearch.htm</u>.

- The checklist for agents and brokers to use when helping consumers with their applications can be found at: https://marketplace.cms.gov/outreach-and-education/marketplace-application-checklist.pdf.
- For more information on Open Enrollment, please review the following resources on the Agents and Brokers Resources webpage at: http://go.cms.gov/CCIIOAB:
 - Slide from the "FFM Plan Year 2016 Open Enrollment Overview and Kick-Off for Agents and Brokers" webinar held on October 14, 2015
 - Slide from Weeks 1-9 of the "Operational Updates and Announcements for Agents and Brokers Participating in the FFMs" webinar series
- For more information on income and household composition for Marketplace eligibility, visit https://www.HealthCare.gov/income-and-household-information/household-size/ and https://www.HealthCare.gov/help/income/.
- For more information on catastrophic plans and how a consumer can file for an exemption, review: https://marketplace.cms.gov/technical-assistance-resources/exemptions-catastrophic-coverage.pdf.
- To order Marketplace materials available for co-branding, review the instructions at: https://marketplace.cms.gov/outreach-and-education/need-a-product-order-now.pdf.

- To access the SHOP Marketplace Agent/Broker Portal to complete your searchable profile and manage SHOP Marketplace accounts, visit: https://healthcare.gov/marketplace/small-businesses/agent.
- For more details on plan year 2016 annual redeterminations and reenrollments, review the guidance CMS issued on April 22, 2015 at: http://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/annual-redeterminations-for-coverage-42215.pdf.
- Agents and brokers can review 45 C.F.R. § 156.340 and the 2016 Letter to Issuers (https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/2016 Letter to Issuers 2 20 2015.pdf) to understand the circumstances under which CMS advises Marketplace issuers to withhold compensation from agents and brokers.
- Consumers can use the following URL to see if they qualify for savings by enrolling in a Silver QHP: https://www.healthcare.gov/lower-costs/.
- Agents and brokers can check their registration statuses on the Agent Broker Registration Status page via the CMS Enterprise Portal or in the Agent and Broker FFM Registration Completion List for Plan Year 2016 on the Agents and Brokers Resources webpage at: http://go.cms.gov/CCIIOAB.

- To host an enrollment event, or to get connected to enrollment groups in your area, email the HealthCare.gov Partnership Team at: Partnership@cms.hhs.gov.
- To understand the requirements for Navigators and other assisters, review: https://marketplace.cms.gov/technical-assistance-resources/agents-and-brokers-guidance-for-assisters.PDF.
- Agents and brokers can access an earned media and public awareness toolkit that provides resources on marketing at: https://marketplace.cms.gov/outreach-and-education/healthcaregov-assister-navigator-earned-media-and-promotion-toolkit.pdf.
- Agents and brokers can direct consumers to the Interactive Tax Assistant at http://www.irs.gov/uac/Interactive-Tax-Assistant-(ITA)-1 or call the Internal Revenue Service Call Center at 1-800-829-1040 for questions on reconciling their APTC on their 2014 tax returns.
- For a description of the web-broker role and obligations as defined in regulation, review 45 CFR § 155.220(c)(3).

- For the Marketplace privacy and security standards authority, review 45 CFR §155.260.
- Consumers can also use the Out-of-pocket Cost feature to estimate what their premiums, deductibles and copays may be for the year at: https://www.healthcare.gov/see-plans/.
- The Web-broker Public List can be viewed on the Agents and Brokers Resources webpage at: http://go.cms.gov/CCIIOAB.
- For more information on how small employers perceive the SHOP Marketplaces, review the full Robert Wood Johnson Foundation report at:

 http://www.rwjf.org/en/library/research/2015/11/small-employers-and-the-small-business-health-options-program--s.html.
- Visit https://localhelp.healthcare.gov/ to find the health centers doing enrollment in your community.

- *The CMS Enterprise Portal can be accessed at:* https://portal.cms.gov/.
- More information on CMS' Incident and Breach Notification Procedures is available at: https://www.cms.gov/research-statistics-data-and-systems/cms-information-technology/informationsecurity/downloads/rmh_viii_7-1_incident_handling_standard.pdf.
- For more information on consumer rights and protections on the Marketplaces, review the CMS resource at: <u>Health Insurance Marketplace</u>: <u>Know your rights</u>.
- The proposed 2017 Payment Notice is available at: https://s3.amazonaws.com/public-inspection.federalregister.gov/2015-29884.pdf.
- The News for Agents and Brokers monthly newsletter is distributed via email. For agents and brokers who do not receive the newsletter via email, CMS posts it on the Agents and Brokers Resources webpage at: http://go.cms.gov/CCIIOAB.
 - The August and September editions contain important information about agent and broker FFM registration and training for plan year 2016.
 - The October and November editions contain important information about plan year 2016 FFM Open Enrollment.
- Current news and updates are distributed via email and CMS' Twitter handle: <u>@CMSGov</u>.

Questions?

For questions about agent or broker participation in the FFMs: <u>FFMProducer-AssisterHelpDesk@cms.hhs.gov</u>

For questions on the MLMS: <u>MLMSHelpDesk@CMS.HHS.gov</u>

For questions when working with consumers applying and enrolling: 1-800-318-2596 (TTY: 1-855-889-4325) available 7 days a week, 24 hours a day

For questions unrelated to application and enrollment: 1-855-CMS-1515 (855-267-1515) and select option "1"

For questions about the SHOP Marketplaces: 1-800-706-7893 (TTY: 711) available M-F 9:00 AM-7:00 PM ET

For questions regarding a CMS-approved vendor's training, agents and brokers should contact the respective vendor's help desk. Contact information can be found on the Agents and Brokers Resources webpage at: http://go.cms.gov/CCIIOAB.

For questions/comments about web-broker participation in the FFMs: WebBroker@cms.hhs.gov