

Consumer Assistance Partnership Outline

1. Consumer Assistance Concepts Under the ACA

- a. Health Insurance Consumer Information
- b. Internet Portal
- c. Toll-free hotline/Call Center
- d. Medicaid/CHIP Eligibility Determination and Notification
- e. Navigator program¹
- f. In-person assistance program²

2. Partnership Roles

- a. Federally-Facilitated Exchange (FFE) Functions:
 - i. Create **internet portal**
 - ii. Operate **call center** (with referrals to other assisters)
 - iii. **Navigators:**
 1. Announce and award **grants**, review grant expenditures, etc.
 2. Create **training** program & testing process for Navigators/in-person assisters; certify that persons have taken training and passed exam
 - iv. Develop **consumer education materials** for use by Navigators & others
- b. State Partner Functions:
 - i. Monitor and **manage Navigator operations**
 - ii. Develop & operate additional **in-person consumer assistance** program(s)
 - iii. **Outreach and education** (if desired)
 - iv. Develop **state-specific** Navigator education materials
 - v. **Coordinate** all consumer assistance programs

¹ Details in section 3 below.

² Not mentioned in ACA itself; see 1/3/13 guidance for details.

3. Navigators

- a. **ACA Provisions (ACA Section 1311(i))**
 - i. **Each exchange** shall establish a Navigator program
 - ii. Program shall **award grants** to eligible entities to carry out specified duties
 - iii. Grants **funded by exchange operational funds**, not federal establishment grants
 - iv. Duties:
 1. **Public education** to raise awareness of QHPs
 2. Distribute **fair & impartial information** on QHPs, premium tax credits and cost-sharing reductions
 3. **Facilitate enrollment** in QHPs
 4. Provide **referrals to health insurance consumer assistance** office
 5. Provide **culturally and linguistically appropriate** information
- b. **Subsequent regulations and guidance on Navigators**
 - i. Navigator program standards (45 CFR 155.210):
 1. Navigator program standards and grant awards **must be administered by the Exchange itself**; in a partnership, **the FFE remains responsible** for these components and they **cannot be delegated** to a state partner.
 2. Navigator grants **may not be awarded to**
 - a. A health insurance **issuer** (or its subsidiary)
 - b. An **association** that includes members of, or lobbies on behalf of, the insurance industry, or to
 - c. **A health insurance producer** that receives any consideration directly or indirectly from any health insurance issuer in connection with “the enrollment of any individuals or employees” in health insurance inside or outside the Exchange
 - d. Navigator **training standards** must ensure expertise in
 - i. The needs of underserved and vulnerable populations
 - ii. Eligibility and enrollment rules and procedures
 - iii. QHP options and insurance affordability standards, and
 - iv. Privacy and security standards

- ii. Guidance – December 10, 2012 FAQs
 - 1. A state or Exchange **cannot require Navigators to hold a producer license** (i.e., a license as an agent or broker) for the purpose of carrying out any of the duties required of Navigators.
 - 2. States **may impose Navigator-specific licensing or certification requirements** upon individuals/entities operating as Navigators.

4. Role of Producers

- a. **ACA Provision pertaining to agents and brokers** (ACA Section 1312(e))
 - i. States may allow agents & brokers to
 - 1. Enroll individuals in QHPs, and
 - 2. Assist individuals in applying for premium tax credits
 - ii. Federal rules will govern producer interactions with Exchange
- b. **Subsequent regulations and guidance**
 - i. Federally-facilitated Exchange guidance (May 2012)
 - 1. **Licensed agents and brokers will continue to assist consumers in accessing health insurance.**
 - 2. To the extent permitted by a State³, **an FFE will permit agents and brokers to enroll individuals in a QHP through a portal connection to the Exchange if**
 - a. the individual completes the eligibility verification and enrollment application, and
 - b. the agent or broker meets other applicable requirements (an agreement, training, and registration).
 - 3. **Role of agents and brokers on the SHOP:**
 - a. Agents, brokers, and other producers will be a primary channel small businesses use to access coverage through an FF-SHOP.
 - b. Agents and brokers will continue to be a primary point of contact for administrative, billings, and claims-related issues.
 - ii. 45 CFR Section 155.220 – producers’ role in assisting with QHP enrollment.

³ New Hampshire has already passed a law allowing this.

5. Existing New Hampshire consumer assistance resources

a. New Hampshire Insurance Department (NHID)

Consumer Services

- Assists consumers who have concerns or complaints about insurance products
- Facilitates discussion/resolution of issues with insurance carriers
- Tracks consumer complaints

Market Conduct

- Administers external review program
- Regulates insurance carriers and TPAs, including requiring compliance with consumer protection laws and obtaining restitution and other case-specific outcomes that assist consumers

Possible Future Activities (NHID not presently involved):

- Coordinating various consumer assistance programs
- ACA-specific consumer outreach
- Advising people on exchange-specific issues such as eligibility for premium tax credits or cost-sharing subsidies

b. New Hampshire Department of Health and Human Services (NH DHHS)

Client Services (Medicaid)

- Call Center
 - Answer all benefit questions related to coverage
 - Assist in finding providers by specialty and or location
 - Provide applications to potential clients
 - Explain reimbursement process for expenses incurred during pending status
 - Welcome Call to all newly enrolled clients with children or who are pregnant
 - Review providers to be certain they are enrolled in Medicaid
 - Assist with other providers as necessary
 - Review who to call, how to contact and office hours
 - Emphasize dental program for children
- Transportation - Arrange for and provide reimbursement

- Language Line
- Medicaid Card Replacement
- Breast and Cervical Cancer Processing
- Access via phone or webmail

NH Easy

- A Web-based application for benefits application and eligibility determination.
 - Cash
 - Medicaid
 - Food Stamps
 - Childcare
- Now provides web access for
 - Redetermination of benefit eligibility
 - Changes
 - Viewing status
 - Notices
- When care management program is implemented, NHEasy will provide
 - Enrollment option for care management program
 - Provider network for care management program
- As of January 2014, even without the Medicaid expansion, there will be policy and system changes, and additional clients (possibly 20,000) to service. This is due to ACA language such as self-attestation, elimination of resource-based measure and the changing household composition. New Heights coding changes are in discussion currently.

ServiceLink and Community Providers also provide services to Medicaid clients

c. Other existing NH entities that could assist potential Exchange populations

Agents and Brokers (Producers)

Health Care Providers

Health Insurance Carriers (including Medicaid Managed Care entities)

Human Services Nonprofits

Consumer Organizations

Community Organizations

Trade Organizations

Business/Small Business Organizations