



State of New Hampshire Insurance Department

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FOR IMMEDIATE RELEASE

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New Hampshire Insurance Department Notifies Health Insurance Issuers of Centers for Medicare & Medicaid Services Agent/Broker Compensation FAQ

CONCORD, NH (June 10, 2022) –The New Hampshire Insurance Department (NHID) would like all Health Insurance Issuers to be aware that the Centers for Medicare & Medicaid Services (CMS) has posted a Frequently Asked Questions (FAQ) document regarding compensation paid by issuers to agents and brokers who assist consumers with enrollment during a Special Enrollment Period (SEP) or during Open Enrollment Periods (OEPs).

CMS has become aware that some issuers in the individual market, who commonly use agents and brokers as part of their marketing and sales distribution channels, have reduced or eliminated commissions and other forms of compensation to agents and brokers for enrollments during an SEP.

The new FAQ document provides guidance that paying differential compensation to agents and brokers for coverage in the same benefit year based on whether the enrollment is completed during an SEP or during the OEP is prohibited under federal law. These practices violate the guaranteed availability protections afforded to these individuals under the Affordable Care Act.

To read the FAQs visit <https://www.cms.gov/files/document/agent-broker-compensation-and-guaranteed-availability-coverage.pdf>.

The New Hampshire Insurance Department Can Help

The New Hampshire Insurance Department's mission is to promote and protect the public good by ensuring the existence of a safe and competitive insurance marketplace through the development and enforcement of the insurance laws of the State of New Hampshire. Contact us with any questions or concerns you may have regarding your insurance coverage at 1-800- 852-

3416 or (603) 271-2261, or by email at consumerservices@ins.nh.gov. For more information, visit <https://www.nh.gov/insurance>.

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