

Navigators Worry After Finding Broker IDs On Applications

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Navigators working to help consumers enroll in coverage during the hectic open enrollment period faced not only challenges related to reduced CMS funding and advertising, but many also experienced a confusing phenomenon -- of which CMS is aware -- that they say raises concerns over patient privacy as well as future grant dollars: When pulling up consumers' accounts they discovered applications already pre-populated with data and a broker's or agent's ID number filled in, with those enrolling claiming no knowledge of working with another party.

Navigators in Florida, Texas and South Carolina tell *Inside Health Policy* they experienced the situation and were flummoxed as to how it occurred. They said the problem was not limited to their state. Many took screen shots of the applications on their computers in order to report to CMS.

Last year, CMS [discovered that during the 2017 enrollment period at least one unscrupulous broker](#) had signed some consumers up for exchange plans without their knowledge. Consumers, most of whom received so much in subsidies that they owed \$0 in monthly premiums, did not realize they'd been enrolled until tax time. CMS subsequently set up a process for insurers to rescind those fraudulent plans.

CMS did not directly respond to a query on whether the two instances are related.

The agency did, however, affirm it is aware of the situation spotted by the navigators, and attributed the problem to the insurance industry and web-brokers.

In some instances, CMS said, issuers added the agent/broker information associated with a consumer for the 2017 policy year. Because of this, when returning customers came back to update their 2018 data they would see the broker information for the first time.

CMS also said some consumers who had initially enrolled through a web-broker can also now see the agent/broker information associated with the application.

The agency confirmed that issuers and web-brokers are allowed to add agent/broker information associated with a consumer. In the 2017 letter to issuers participating in federally-facilitated marketplaces, the agency had said that brokers could contact issuers if they believed their IDs had been left off the application.

The agency did not respond to queries on how common the practice may have been.

CMS said consumers may remove that information from their application and contact the issuer if they have questions.

A navigator source who had been tracking incidents said that CMS had not been in touch about the results of its investigation into the issue. When told of CMS' response to *Inside Health Policy*, the source reiterated that the pre-populated information is coming up for consumers who did not use brokers.

Another navigator source said the same. The consumers were reporting that they had never used a broker, the source asserted. The source noted there had previously been an issue with agent/broker numbers rolling over onto new applications, but the current situation is different.

There may be some people who did not realize that they'd enrolled through a web-based broker in previous years, the source acknowledged. However, that isn't likely to be a large number of people.

Navigators have said they were upset by the applications because they indicated a potential breach of consumer privacy. Additionally, the administration is now basing navigators' grant funding on performance metrics, and specifically on the actual number of people an entity enrolled in a marketplace plan.

For this reason, navigators worry they could miss out on funding if they are not credited for applications that they submitted with the broker IDs. Navigator sources indicated that while they could change the ID numbers with permission from the consumers, it is unclear if that happened in every scenario. For navigators, emphasizing non-biased assistance is critical, and some workers were uncomfortable even asking for permission to tweak an application to ensure they would get the credit, one source said.

"The Navigator awards for the final year of a three-year round of funding have already been made. At this time, we do not have any additional information to provide on Navigator grants for 2018," CMS said when asked whether the agency intended to account for the situation in next year's funding. -- Amy Lotven (alotven@iwppnews.com)

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