ACA Final Rule

FAQ's

Q How can we get the model doc that CMS composed?

A ***The sample form that CMS has put out can be found online here.***

Q Am I correct that when it is in the quoting stage, we do not need this form to be completed?

A ***If the quote is completed generically, you would not need to get consent prior to the quote. You must collect the consent prior to searching the Marketplace or accessing the client's account.***

Q What if the state - for example, Kentucky - is not on the FMM, but uses a state-based system, do these new rules apply?

A ***State-Based Marketplaces are not required to follow this guidance currently. We will continue to watch for updates from the SBM's and update you as needed.***

Q Will That consent form guarantee that we stay as the AOR for that client?

A ***There are not any forms that would guarantee that you will remain the AOR for any period of time.This form would allow you proof that you assisted the client in enrolling. The client may revoke this consent at any time and may select a new AOR moving forward. The new AOR would be subject to the same documentation requirements.***

Q What about clients that are auto enrolled?

A ***We have not seen any guidance on this currently. If you access the client's account, you must have consent prior.***

Q Will you need to get consent every year?

We have not seen any specific guidance on this yet. A

Q Do you send the forms in with the application or just keep for your records?

These forms would need to be collected and stored where you can access them for 10 years. A

What if a client is NOT qualifying for a subsidy but enrolling in an ACA plan. Do we still need the forms?

You will need to collect both the Consent form and the Eligibility form for any enrollment completed through the Federal Marketplace regardless of subsidy status. A

Q Since we can put the agency information on the consent form, I'm assuming that this covers any office staff that may access the client's information?

Yes, I would make sure that the form specifically states the NPN and Name of the AOR as well as any staff that they may be speaking to. A

Q Can the consent be verbal and filled out on the form by the agent or must the form be emailed to the client and received before the enrollment can be completed?

The consent can only be verbal if the call is being recorded. Other than that, the consent would need to be collected either electronically or paper. A

Q Are current consents on file no longer valid?

If the current consent that you have collected meets the minimum requirement, they would continue to be valid. A

If you would like to learn more about the ACA Final Rule and other updates, contact Agent Pipeline at (800)962-4693 to discover how we can help your business!