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is considered to be through the Exchange, the QHP issuer needs to comply with at least the following requirements:

1. **QHP issuer general requirements.**
   1. The QHP issuer follows the enrollment process for qualified individuals consistent with §156.265.
   2. The QHP issuer’s Web site provides applicants the ability to view QHPs offered by the issuer with the data elements listed in §155.205(b)(1)(i) through (viii) of this subchapter.
   3. The QHP issuer’s Web site clearly distinguishes between QHPs for which the consumer is eligible and other non-QHPs that the issuer may offer, and indicate that advance payments of the premium tax credit and cost sharing reductions apply only to QHPs offered through the Exchange.
   4. The QHP issuer informs all applicants of the availability of other QHP products offered through the Exchange through an HHS-approved universal disclaimer and displays the Web link to and describes how to access the Exchange Web site.
   5. The QHP issuer’s Web site allows applicants to select and attest to an advance payment of the premium tax credit amount, if applicable, in accordance with §155.310(d)(2) of this subchapter.

2. **QHP issuer application assister eligibility application assistance requirements.**
   If permitted by the Exchange pursuant to §155.415 of this subchapter, and to the extent permitted by State law, a QHP issuer may permit its issuer application assisters, as defined at §155.20, to assist individuals in the individual market with applying for a determination or redetermination of eligibility for coverage through the Exchange and for insurance affordability programs, provided that such issuer ensures that each of its application assisters at least:
   1. Receives training on QHP options and insurance affordability programs, eligibility, and benefits rules and regulations;
   2. Complies with the Exchange’s privacy and security standards adopted consistent with §155.260 of this subchapter; and
   3. Complies with applicable State law related to the sale, solicitation, and negotiation of health insurance products, including applicable State law related to agent, broker, and producer licensure; confidentiality; and conflicts of interest.

(b) **Direct enrollment in a Federally-facilitated Exchange.**
   The individual market Federally-facilitated Exchanges will permit issuers of QHPs in each Federally-facilitated Exchange to directly enroll applicants in a manner that is considered to be through the Exchange, pursuant to paragraph (a) of this section, to the extent permitted by applicable State law.

§ 156.1240 Enrollment process for qualified individuals.

(a) **Premium payment.**
   A QHP issuer must—
   1. Follow the premium payment process established by the Exchange in accordance with §155.240.
   2. At a minimum, for all payments in the individual market, accept paper checks, cashier’s checks, money orders, EFT, and all general-purpose pre-paid debit cards as methods of payment and present all payment method options equally for a consumer to select their preferred payment method.

(b) [Reserved]

PART 157—EMPLOYER INTERACTIONS WITH EXCHANGES AND SHOP PARTICIPATION

Subpart A—General Provisions

Sec. 157.10 Basis and scope.
157.20 Definitions.

Subpart B [Reserved]

Subpart C—Standards for Qualified Employers

157.200 Eligibility of qualified employers to participate in a SHOP.
157.205 Qualified employer participation process in a SHOP.


SOURCE: 77 FR 18474, Mar. 27, 2012, unless otherwise noted.