

113TH CONGRESS
2D SESSION

S. 2175

To amend the Patient Protection and Affordable Care Act to enhance access for independent agents and brokers to information regarding marketplace enrollment.

IN THE SENATE OF THE UNITED STATES

MARCH 27, 2014

Ms. LANDRIEU (for herself, Mrs. SHAHEEN, Mr. MANCHIN, Mr. WARNER, Ms. HEITKAMP, and Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Patient Protection and Affordable Care Act to enhance access for independent agents and brokers to information regarding marketplace enrollment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Enhancing Access for
5 Agents and Brokers Act”.

1 **SEC. 2. ENHANCING ACCESS FOR INDEPENDENT AGENTS**
 2 **AND BROKERS.**

3 (a) AGENT AND BROKER AND CONSUMER SUPPORT
 4 LINE.—Not later than 30 days after the date of enact-
 5 ment of this Act, the Secretary of Health and Human
 6 Services shall establish a dedicated toll-free customer serv-
 7 ice support help line to enable certified health insurance
 8 agents and brokers to seek assistance regarding qualified
 9 health plans offered in the Federal health insurance mar-
 10 ketplace.

11 (b) NATIONAL PRODUCER NUMBER.—Section
 12 1312(e) of the Patient Protection and Affordable Care Act
 13 (42 U.S.C. 18032(e)) is amended—

14 (1) by redesignating paragraphs (1) and (2) as
 15 subparagraphs (A) and (B), respectively and redes-
 16 ignating the margins accordingly;

17 (2) by striking “The Secretary shall” and in-
 18 serting the following:

19 “(1) IN GENERAL.—The Secretary shall”; and

20 (3) by adding at the end the following:

21 “(2) NATIONAL PRODUCER NUMBER.—The Sec-
 22 retary shall establish procedures to permit a broker
 23 name and National Producer Number to be added to
 24 an application for enrollment in a qualified health
 25 plan offered through an Exchange at any time dur-
 26 ing the application process, and for any enrollment

1 period described in section 1311(c)(6). Such proce-
2 dures shall ensure that the National Producer Num-
3 ber is designed to assist consumers in obtaining
4 needed assistance to complete enrollment, to ensure
5 that brokers are adequately compensated for their
6 role in that process, and to provide protections to
7 consumers by identifying each agent or broker that
8 has worked on an enrollment case in the event of
9 any errors or other issues with the application.

10 “(3) LIST OF AGENTS AND BROKERS.—Not
11 later than 14 days after the date of the enactment
12 of this paragraph, the Secretary shall make available
13 on the Internet website maintained by the Federal
14 Government for health insurance coverage
15 (healthcare.gov or any subsequent Internet site (or
16 sites) that is established in whole or in part by the
17 Federal Government to facilitate enrollment in quali-
18 fied health plans, the receipt of tax credits or cost
19 sharing reduction assistance, or comparisons of
20 available qualified health plans) a list of all agents
21 and brokers who have been trained and are currently
22 certified by the Federal Exchange, including their
23 name and National Producer number and if avail-
24 able their business address, electronic mail address,
25 website, and phone number. The Secretary shall

1 enter into a contract with the National Insurance
2 Producers Registry to regularly verify, at least on a
3 monthly basis, the licensure status of all of agents
4 and brokers who have been trained and are currently
5 certified by the Federal Exchange and a mechanism
6 shall be developed and made accessible to all cer-
7 tified agents and brokers to enable such agents and
8 brokers to submit any changes to their contact and
9 licensure information to the Secretary so that such
10 website updates contain accurate agent and broker
11 contact information.

12 “(4) NEW INFORMATION DISCLOSURE.—Not
13 later than 5 business days after the promulgation of
14 any new regulation, or issuance of any guidance,
15 technical letter, or other official policy statement
16 that impacts the enrollment of individuals in quali-
17 fied health plans, the receipt of tax credits or cost
18 sharing reduction assistance, or comparisons of
19 available qualified health plans, the Secretary pro-
20 vide all navigators (under section 1311(i)), agents,
21 and brokers who have been trained and are currently
22 certified by the Federal Exchange with a clear de-
23 scription of such policy changes, including specific
24 practical guidance as to how certified navigators,
25 agents, and brokers can best assist their clients and

- 1 help clients take advantage of any such policy
- 2 changes.”.

