

Commissioner's Monthly Column

Role of Navigators in Louisiana

May 2013

With Health Care Exchanges scheduled to go online this fall there has been a flurry of activity as the U.S. Department of Health and Hospitals, as well as states, prepare for the changes brought about by the Patient Protection and Affordable Care Act (PPACA). One of the issues that has generated a good deal of discussion and interest both nationwide and here in Louisiana is the role of navigators. As defined by PPACA, navigators will serve to conduct public education and distribute information to individuals choosing a health plan from the exchanges. They will facilitate enrollment, but may not advise an individual on which plan to choose, or actually enroll someone into a plan.

The U.S. Department of Health and Human Services (HHS) has developed standards to ensure that navigators are qualified and trained. Since Louisiana will have a federal exchange, the federal government will choose and contract with navigators.

While HHS requires navigators to be certified and meet training requirements, states may add additional certification/licensing and training requirements. The Louisiana Legislature is moving towards approving a measure that will give the Commissioner of Insurance the authority to promulgate rules and regulations to register and regulate navigators who receive funding or certification from any state or federal government agency. This measure was supported by the Health Agents for America, the Professional Insurance Agents of Louisiana, the Independent Insurance Agents & Brokers of Louisiana and myself. Other states including Ohio, North Carolina, Georgia and Maryland have taken steps similar to Louisiana to require licensing of navigators.

In April, the U.S. Center for Consumer Information and Insurance Oversight (CCIIO) released information on guidance and grants for individuals and organizations who want to be navigators. CCIIO is the arm of the Centers for Medicare & Medicaid Services that oversees the U.S. Department of Health and Human Services efforts to implement provisions of PPACA.

About \$54 million is available nationwide for funding of navigators – \$1.3 million of that funding will be available directly to navigators here in Louisiana. While navigators may be licensed producers, they may not function simultaneously in both roles with regard to coverage sold through the exchange. Insurance agents and brokers who earn commissions from selling products other than health insurance, such as auto insurance, may be eligible for grants. Insurance agents and brokers who earn compensation and commission from health carriers for selling health coverage are not eligible to apply for navigator grants. Navigators may not receive direct or indirect compensation from insurers for assisting consumers in selecting a Qualified Health Plan (QHP). Navigator grant applications are due in early June to HHS. The navigator grants, which are for a 12-month period, are expected to be announced in mid-August.

Since Louisiana will have a federally facilitated exchange, all agents/producers will need to register with the Centers for Medicare and Medicaid Services (CMS) in order to be able to assist consumers with the purchase of coverage. CMS has said that online registrations by producers will begin this summer, prior to open enrollment. The registration process will include a marketplace-specific online training course. Insurers who sell Qualified Health Plans through federal exchanges will pay producer compensation just as they do for similar plans sold outside the exchange system.

While some questions regarding implementation of health care exchanges remain unanswered by HHS, I am optimistic that Louisiana will have rules in place that will help ensure that Louisiana has navigators who are operating in compliance with Louisiana's insurance laws which, in turn, will help them guide and advise those in need of health insurance.