



The Hilltop Institute

analysis to advance the health of vulnerable populations

Navigators: A Background Paper

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Donna Folkemer

Maryland Health Benefit Exchange Board

Navigator and Enrollment Advisory
Committee Meeting

Purpose of the Report

- Provides background information on the Exchange's Navigator Program for the Advisory Committee
- Informs analysis to be conducted by the vendor for the legislative study

Presentation Outline

- Affordable Care Act (ACA) Navigator Requirements
- Lessons from Other States
- Maryland Consumer Assistance Programs
- Issues Identified by Stakeholders

ACA Requirements

- Exchanges are required to develop Navigator programs to provide information about and assistance with qualified health plans
- Duties of the Navigator include:
 - Conducting public education and awareness
 - Distributing fair and impartial information about enrollment and tax credits
 - Providing referrals to appropriate agencies for grievances, complaints, and questions
 - Providing information that is linguistically and culturally appropriate

ACA Requirements continued

- Navigators must be funded through grants from operational funds of the Exchange
- Organizations must demonstrate existing relationships or the ability to establish relationships with employers, employees, consumers (including under- and uninsured), and the self-employed
- The ACA lists specific types of organizations eligible for Navigator funds
- Health insurance issuers may not be Navigators
- Navigators may not receive consideration from health insurance issuers for qualified health plan enrollment

Proposed Regulations

- Issued for public comment on July 11, 2011
- Listed some additional requirements for Navigators
- Requested public comment regarding conflicts of interest, types of entities serving as Navigators, and standards to ensure that information provided is fair, accurate, and impartial

Lessons from Other States

- Prior to the ACA, Massachusetts and Utah established marketplaces similar to Exchanges and created their own consumer assistance programs.
- Seven states, including Maryland, have enacted Exchange legislation that mentions Navigators. Current legislation is broad and provides little guidance on Navigator operation.

Examples of Maryland Consumer Assistance Activities

- Medicaid enrollment broker
 - Contracts with the state to facilitate enrollment and disenrollment of individuals in the Medicaid managed care program
 - Functions include implementing the process of enrollment and disenrollment, developing and maintaining information systems, conducting outreach and education, and evaluating enrollee services

Examples of Maryland Consumer Assistance Activities continued

- Health insurance agents and brokers
 - Help individuals and small businesses identify and obtain insurance coverage
 - Assist with the purchase of 50% of non-group and 90% of small group insurance in Maryland
 - Functions include providing information about available plans, assisting with application and underwriting process, and comparing prices and benefits across plans

Examples of Maryland Consumer Assistance Activities continued

- State Health Insurance and Assistance Program (SHIP)
 - Provides counseling services to Medicare beneficiaries through a network of volunteers
 - Functions include providing telephone and in-person assistance, administering intake interviews, assisting with applications, and assisting with outreach activities

Issues Identified by Stakeholders

- The New America Foundation and the Insure the Uninsured Project made recommendations for California's Navigator:
 - Funding should come from a "reasonable charge" tax on health plans in the Exchange
 - Program should build from current organizations that assist with outreach and enrollment for public programs, including county social services, clinics, hospitals, and consumer organizations

Issues Identified by Stakeholders continued

- National Association of Insurance Commissioners (NAIC)
 - Urges states to deploy Navigators and producers (agents and brokers) in a complementary manner
 - Proposes that producers and Navigators have the same licensure and certification procedures

Issues Identified by Stakeholders **continued**

- National Academy of Social Insurance (NASI)
 - Recommends certification for Navigators
 - Suggests that states expect Navigators to counsel Exchange-eligible individuals about public sector options, such as Medicaid

Summary

- The ACA and proposed regulations broadly define requirements for Navigators, but states have significant flexibility in designing their own programs

About The Hilltop Institute

The Hilltop Institute at the University of Maryland, Baltimore County (UMBC) is a nationally recognized research center dedicated to improving the health and wellbeing of vulnerable populations. Hilltop conducts research, analysis, and evaluations on behalf of government agencies, foundations, and nonprofit organizations at the national, state, and local levels.

www.hilltopinstitute.org

Contact Information

Donna Folkemer
410-455-6239
dfolkemer@hilltop.umbc.edu

Laura Spicer
410-455-6536
ls Spicer@hilltop.umbc.edu

Jamie John
410-455-6845
jjohn@hilltop.umbc.edu

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University of Maryland, Baltimore County (UMBC)
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