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Senators pledge support for agents and brokers to CMS

By Gillian Roberts

Nearly two months after filing broker-friendly legislation in the U.S. Senate, five senators including Sen. Mary Landrieu (D-La.) sent a letter Tuesday to U.S. Centers for Medicare and Medicaid Services' Administrator Marilyn Tavenner "in support of health insurance agents and brokers that have been some of the most actively engaged stakeholders in getting millions of Americans covered."

Landrieu is the primary sponsor of the bills that dropped March 27 pursuing changes to the 2015 open enrollment process for brokers enrolling consumers on the Affordable Care Act's public health insurance exchanges. The recent letter echoed the requests in the bill including a dedicated hotline for agents and brokers to expedite their enrollment questions, allowing for a broker's name to be added to a consumer's application at any time to assist with compensation issues, posting a registry of certified agents and brokers on the Healthcare.gov website and enhanced communication with the group about regulation changes.

See related: 2 Senate bills seek access, compensation enhancements for ACA brokers¹

"The main thing the bills were trying to do is get CMS' attention," says Ronnell Nolan, president and CEO of Health Agents for America Inc., a trade association that lobbied for and worked with Landrieu on the bill's requests. "I don't think they've had a lot of senators sign on yet," so this is another way to get the attention of the agency tasked with executing the federal marketplaces and overseeing all exchange regulation.

The other lawmakers signing the letter are Sens. Mark Warner (D-Va.), Jeanne Shaheen (D-N.H.), Mark Begich (D-Ala.) and Heidi Heitkamp (D-N.D.). It notes that the Congressional Budget Office estimates 13 million Americans will enroll in coverage via the exchanges during the 2015 enrollment period, 5 million more than the year prior.

"With millions of Americans switching coverage in and out of the health insurance marketplaces, significant resources will be needed to retain existing health insurance marketplace consumers and to ensure that millions of new Americans enroll in coverage during the 2015 open enrollment season," the senators wrote. "To reach the 2015 projections ... it is critical that health insurance agents and brokers are able to support consumers in an even more enhanced way."

The letter was released by a Landrieu staffer. It also addresses the fact that a recent CMS rule² allowed for changes in the medical loss ratio - the amount of a premium that goes to medical services versus administrative tasks - that favors insurers. Because brokers' compensation comes out of the administrative side of the calculation, their commissions have been cut and the senators mention a desire to alleviate this burden for brokers as well.

Several bills have been introduced in previous congressional sessions³ to help this MLR issue for brokers. The legislation in the current Congress never made it out of sub-committee in the U.S. House of Representatives.


"If they don't make the changes to brokers working on the exchanges first, then we won't have jobs. And if we don't

have jobs, we don't even have to worry about the MLR," says Nolan, noting that the more recent Landrieu bills are a priority in her view.

References

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