

Centers for Medicare & Medicaid Services
Transcript: Assister Technical Assistance Webinar
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Welcome

[Delayed recording]

The presentation today is intended for informal technical assistance and is not intended as official CMS guidance.

Before we get started with our topic today I just want to take a minute to say thanks to all of you on the line who have been really hard at work over the last three months. We had a really successful open enrollment period. As you might have heard, yesterday Secretary Burwell announced that about 12.7 million consumers selected plans or were automatically reenrolled across all states either through HealthCare.gov or the State-based Marketplaces. In addition to that, 4 million new people enrolled in coverage through HealthCare.gov. We definitely could not have gotten this work done without you so

we really are truly grateful for everything you have done over the last three months and all that you will continue to do throughout this year.

That brings us to our topics for today. As you know, open enrollment has finished and assisters are probably wondering what kind of activities should we focus on now? How can we best analyze our lessons learned from this past open enrollment season and how can assisters prepare for the next open enrollment? So to help address these questions today's presentation will focus on what assisters should do now that open enrollment is over. We'll also have an updated presentation on how to best obtain and handle a consumer's personally identifiable information, or what we call PII. This will be a good refresher for you now so that you can use consumer PII to reach back out to them for some of these post open enrollment activities. Before we start our presentations we have a few Marketplace updates that I will turn over to Michelle Koltov, our technical assistance team lead. She'll also moderate the rest of today's webinar.

As a reminder if you have questions throughout the webinar presentation, you can submit them to the webinar chat feature.

Marketplace Updates

Thank you Deborah.

HealthCare.gov Updates

Since the start of the New Year we have made some new updates to HealthCare.gov including new tax pages for 2015 to help consumers get ready to file taxes. Some of these updates include information on 2015 health coverage and federal taxes, which can be viewed in the links on the slide and how to use Form 1095-A which is also available on the link on the slide. These resources can be helpful when you are working with consumers to help them understand how their health coverage insurance may affect their tax filing process. We've also added a new page on grace period for premium nonpayment which you can view on the last link on the slide.

Tax Update & Avoiding Fraud

We also want to take the time to remind assisters as you work with consumers please let them know that if they owe a payment for the individual shared responsibility provision – remember it should be made only with your tax return or in response to a letter from the IRS. The payment should never be made directly to an individual or a tax preparer. Another reminder – as an assister you are prohibited from helping consumers with filing their taxes unless you are also a licensed tax professional. We included some links on the slide which you can share with consumers to help them choose a tax preparer and help prevent them being victims of fraud.

Webinar Recordings

As we mentioned before we now have recordings of our past webinars posted on line. We have just added recordings, slides, and transcripts from the December 18 and January 8 assister webinars. As a reminder the December 18th webinar included a presentation in collaboration with the National Health Law Program on the rules for calculating a consumer's modified adjusted gross income. The January 8 webinar included a presentation by the Substance Abuse and Mental Health Services Administration on assisting individuals with behavioral health conditions and health insurance enrollment. This webinar also included some information on helping consumers resolve data matching issues. If you missed either

of these presentations or want to go back and sharpen your skills on these topics please follow the links provided on the slides to view these or some of our other past webinars.

Open Enrollment and Beyond: The Role of Assisters in the Federally-facilitated Marketplaces (FFMs) After Open Enrollment

That's it for our Marketplace updates for today. For our first presentation we are joined by our Consumers Support Group colleague Gian Johnson who will present on the role of assisters now that open enrollment has finished. As a reminder, you can submit your questions through the webinar chat feature and we will get to them at the end of the webinar.

Thank you Michelle

Assisters play a vital role in the weeks and months after open enrollment ends. Now that open enrollment 2016 is over we have received many questions from assisters about what role they can play outside of open enrollment. Similar to years past, Marketplace assisters will continue many of their existing functions throughout the year. Specifically you will continue to assist eligible consumers in enrolling in coverage, reporting changes to the Marketplace, helping consumers with questions related to using their coverage, and providing consumers with educational information about the Affordable Care Act in general, as well as the health insurance they have chosen.

Additionally during the non-open enrollment time -- instead of focusing on enrollment, assisters will spend a greater percentage of their time focused on answering consumers' questions about their health care coverage and continuing to ensure that consumers know about all of the new benefits available to them.

Throughout the year we expect assisters to play a key role in three main areas. The first is enrollment assistance -- continuing to assist eligible consumers in enrolling in coverage. Next -- post enrollment assistance -- helping consumers who have questions related to questions related to the insurance coverage that they have selected. And then conducting outreach and education -- providing consumers with educational information about the Affordable Care Act and also health insurance in general.

In addition to helping consumers learn about their insurance there are several key groups of consumers who will still be eligible to enroll in coverage outside of it open enrollment -- these groups of consumers include both eligible for special enrollment periods, consumers who are eligible for Medicaid or CHIP coverage, American Indians and Alaska Natives and small businesses wanting to enroll employees in SHOP. Throughout open enrollment we know many of you have been working with populations that tend to be lower income and often Medicaid eligible. Remember that Medicaid enrollment is open all year and you can continue to help these consumers enroll in Medicaid and chip coverage. Additionally, as I'm sure you know consumers often experience life events throughout the year that result in changes in circumstances that might make them eligible for an SEP. These life events can be things such as losing coverage, having a baby or getting married -- you can help them enroll in the Marketplace throughout the year and report these changes through either an existing application or a new application.

Additionally many assisters live in areas with large American Indians or Alaska natives -- we encourage folks in those areas to connect with assisters and members of those communities as they start planning events post open enrollment.

Assisters are a trusted resource for many consumers and will continue to provide valuable help to ensure a smooth transition for people as they go from enrolling in health coverage to actually using it. The Affordable Care Act is not just about getting people enrolled in coverage, it's about making sure that the consumers understand how to use their new coverage and how to help -- many of whom this is the first time in their life they have that coverage. Assisters are an important resource to answer these questions. Now that you have begun to develop relationships with consumers many of whom come back to you each year, they often turn to assisters for questions about health literacy. Currently consumers are reaching out to assisters for help when they don't receive their insurance cards. If they have questions about how to pay their first premium or if they're unsure about the benefits. Our expectation of assisters continues to be that you will continue to enhance our efforts beyond open enrollment. Going forward we expect assisters to help consumers with things like understanding and using their coverage so for example understanding what a plan covers, how to make a doctor's appointment, getting a prescription filled, using emergency services, and other such common situations.

We also expect that Assisters will help consumers understand their rights as insured consumers. This includes making sure consumers are accessing the rights and benefits included under their policy -- as a result of the ACA and other federal and state laws. These are things such as having free preventive care, getting an exemption for non-covered prescription drugs, access to particular plan information and protections against discrimination. Assisters can also help consumers appeal enrollment decisions or a health plan's decision not to play a claim. They can help consumers understand the tax implications of their enrollment decisions, such as whether they qualify for an exemption, from the fee for not having coverage, or how to report their tax credits received -- when they are filing their taxes. Lastly assisters can help consumers report changes in circumstances and navigate the subsequent eligibility determinations that they may receive.

Education and outreach are already an integral component of your work. For example this is true for assisters working with or in communities where there might be significant misunderstanding or misinformation about the ACA, distrust of the government, or other cultural barriers to enrollment in care. Assisters in these communities are finding that education and outreach are a vital first step in the enrollment process.

Since many of these challenges are not easily overcome in a few months that open enrollment covers -- many assisters are already beginning to plan their efforts for the remainder of 2016 so that they are ready to begin enrolling these hard-to-reach consumers when open enrollment 2017 opens.

Some suggested work includes building trust within your community. So meeting with local coalition members, trusted organizations within your communities that consumers turn to for information. Building and strengthening community partnerships, reflecting on what did and did not work during this past open enrollment cycle, and then thinking through ways to improve your communication and outreach strategies.

Even after the end of open enrollment, CMS is committed to continuing to provide support and assistance to assisters. In particular we plan to do a couple of things. The first is continue our regular assister webinars and newsletters. Following the close of open enrollment the focus of these activities will shift to providing assisters with information and training like SHOP, helping consumers understand tax implications for their enrollment decisions, improving health literacy, and other pertinent topics.

We'll also be updating our assister page on Marketplace.CMS.gov. We will continue to use this as a place to provide updates and helpful resources. As you are continuing to work with consumers. We also have the CMSzone page, and this is the online research marketplace where you can share materials that you've created and developed and also events your organization is planning with other assisters in your community.

We'll be providing ongoing support -- we will continue to monitor our CAC inbox, Navigator grantees will still be able to reach out to assigned project officers if they have questions, regular communication with our colleagues in the regional offices will also continue. We know during open enrollment many assisters built strong relationships with our colleagues in the region. Our expectation is that these relationships will continue. As well as go into the fall when everyone begins planning for open enrollment events.

We also have a list of topics that we will be covered through our assisters calls in coming months. And we encourage you to be sure to check the newsletter for other important updates and information as we get closer to those dates.

Lastly we would love to hear from you all. We know that you have the direct contact with consumers and we would love to receive any feedback you have about how we can improve our webinars, our newsletters, or other resources that you would like to see us produce for you that would make your job easier. You can include things like topics you would like to see covered between now and the next open enrollment. Anything that we went over during open enrollment that you would like to see again, we've started posting our webinars online so you can go back and listen to them now that you have a little bit more time. Our technical assistant efforts are there -- things you would like to see in the newsletter, or resources that you would like us to point you to. Just let us know -- reach out to your project officer if you're a Navigator, or you can contact your CAC questions inbox and just put CAC in the subject line.

Now I am going to turn it back to Michelle.

Obtaining Consumer Authorization and Handling Consumers' Personally Identifiable Information (PII) in the Federally-facilitated Marketplace (FFM).

Thanks, Gian. Up next we are joined by another Consumer Support Group colleague, Emily Ames, who will present on how best to obtain and handle consumer's personally identifiable information, or PII. As a reminder you can continue to submit your questions through the chat feature and we will do Q&A after Emily's presentation.

So just a note before we start, I'm going to be summarizing some legal standards here. For complete and current information, I want to make sure you are referring to the applicable statute or regulation grant terms and conditions or agreements for CMS. We will talk about where you can locate those later in the presentation. So in today's presentation I will give some background and highlights on the privacy and security requirements that apply to FFM Navigators and CACs. I'll talk about how to obtain a consumers authorization before accessing their PII, I will go over the Navigator and CAC model and authorization forms. Sometimes they call them consent forms. Some best practices for handling PII, and what resources are available. We want to flag these slides aren't posted yet but will be soon and we will send around a link in an upcoming newsletter.

So all Marketplaces are required to have privacy and security standards. In the FFM we established the Navigator and CAC privacy and security standards through grant terms and conditions, and agreements with CMS. Each organization should refer to the privacy and security standards that apply to them. For Navigators these are in attachments E and F of their grant terms and conditions, for CAC's they are in the agreement between CMS and CAC designated organization.

I just want to go over what PII means. Personally identifiable information includes any information that can be used to distinguish or trace an individual's identity, alone or when combined with other personal or identifying information that is linked or linkable to that individual. Some examples that you might come across in your work as a Navigator or CAC would include an applicant's name, address, birthday, telephone number, email, also household income, immigration document numbers, their APTC -- still things that either alone or combined that can be used to identify them.

This slide is a basic rule to remember about handling PII. We will be talking about this a lot throughout this presentation. As FFM Navigators or CACs you are allowed to create, collect, disclose, access, maintain, store and use consumer PII as long as you are doing so to perform your authorized assister functions. And this would include either your required assister duties – so things like helping consumers apply for or enroll in coverage through the Marketplace – or for other purposes that the consumers provide their specific informed consent.

Your FFM Navigator and CAC privacy and security requirements -- these are the ones in grant terms and conditions or agreements with CMS, they address how you should handle PII. They are designed to ensure information is used only as necessary and relevant to perform the functions we just discussed - your authorized functions the consumer gives their consent for - to ensure that all uses of consumer PII are consented to by the consumer, that appropriate swift action is taken when an incident or breach occurs, and that confidentiality is protected to enable trust between you and the consumer.

The standards prohibit a couple of PII collections that I want to highlight even though they are not on the slide. For anyone who is not seeking coverage for themselves on an application, you cannot request or require a Social Security number, information about citizenship, status of a national or immigration status – you can only request information about a non-applicant if it is necessary for an eligibility determination for somebody else is seeking coverage. You cannot use anyone's PII to discriminate against them - such as by refusing to assist folks who have significant or complex healthcare needs. Before collecting PII or other information from consumers, you have to give the consumer a written privacy notice statement that your organization has developed or ensure that your organization has already provided the consumer with that statement. This is different from the authorization form which we will talk about later. So our model authorization forms don't necessarily cover all of the things that the privacy notice statement is required to cover. This is because your organization needs to be addressing how it is storing PII - what consumers' privacy rights are under your state law. Things like this – so since it is so individualized we don't have a model form for this and your organization needs to develop this.

These are the minimum requirements that each organization's privacy notice statement should include. A description of the information being collected, the purposes and intended uses of the information, to whom the information can be disclosed and for what purposes, and how a record of those disclosures can be requested. What if any notices or opportunities for consent will be provided regarding the collection, use or disclosure of information, how the information will be kept secure, whether the information collection is voluntary or mandatory under applicable law, what the effects are if the

consumer chooses not to provide the requested information, consumers privacy rights under state and federal law, and information on how to file complaints with CMS and the CAC or navigator organization about the organization's activities related to that info. So this statement has to be written in plain language and to the extent possible it has to be provided in a manner that is accessible and timely to people with disabilities and limited English proficiency.

Assister organizations have to review their privacy notice statement and revise it on at least an annual basis, and before or as soon as possible after any changes to the organization's privacy policy.

So now we're going to talk about getting consumer authorization before accessing their PII. There is a link here to some guidance on this topic if you want more information.

So Navigators, Non-Navigators assistance personnel and CACs in FFM are required to ensure that applicants are informed of the functions and responsibilities of the assister, ensure that applicants provide authorization in a form and manner determined by the Marketplace before the assister obtains access to a consumer's PII, and that applicants can revoke that authorization at any time. Also to maintain a record of the authorization for no less than six years unless a different and longer retention period has already been provided under federal law.

These are the minimum elements that the FFM has established that a consumer's authorization needs to include. It has to include an acknowledgment that you informed the consumer of your Navigator or CAC functions and responsibilities. This would include all of the consumer protection standards that apply through CMS regulations to your assister type so things like conflict of interest requirements, rules about accepting payment and providing gifts, all of that. It needs to include consent for you to access and use the consumer's PII to carry out your Marketplace functions and responsibilities, and it needs to include an acknowledgment that the consumer may revoke any part of the authorization at any time. And include if the consumer wants to place any limits on your access or use of her PII. The form should include a description of what those limits are.

We have model authorization forms you can use or adapt that do meet these requirements. So our forms are just models and you don't have to use them. Your organization can create a different one or make revisions to ours as long as they meet these minimum elements.

The record of the authorization -- this is the one that has to be maintained for six years. The completed authorization form can serve as the record of the authorization, these don't have to be separate things. So at a minimum it should include the consumer's name and the name of the consumer's authorized representative as applicable, the date the authorization was given, your name or the name of the assister to whom the authorization was given, again notes about any limitations the consumer placed on the scope of the authorization, notes recording all acknowledgments and consent obtained from the consumer, and if any changes are made later to the authorization like if a consumer revoked the authorization and when, this should be included with the original record.

So a couple of scenarios – and these are straight from the guidance I just showed you and we'll have another link when we get to the end of the presentation if you want to refer back to these. So say you are assisting the consumer for the first time and she is homebound and you are helping her over the phone. In a case like this you can obtain authorization by reading her your organization's standard authorization form or a script that contains the required elements we just talked about. You have to record in writing that the consumer's authorization was obtained and the record of the authorization

again has to include the required elements in the previous slide and in a manner that's consistent with the privacy and security standards that apply to you for at least six years. We recommend that create a record of the authorization as its being provided and read it back to the consumer once it is complete so that they can confirm it is accurate or correct anything that isn't.

In scenario 2 let's say that your assister organization is participating in an outreach or enrollment event and the organizers want to create a sign-up sheet so that consumers can leave their names and contact info if they want to receive follow-up contact from one of the assister organizations. You can use a sign-up sheet to collect consumer's name and contact information as long as you make clear to consumers in writing that by providing their information they are consenting to be contacted for application and enrollment assistance. Any PII that is collected on the sign-up sheet should be kept private and secure and accessed only by staff who need it to carry out required duties. For example -- you can say on the sign in sheet by signing up you agree it is okay for the assisters to contact you to help you with health care coverage and or the Marketplace. Unless this authorization contains the minimum elements we talked about earlier -- and I'm assuming that it would not. If you do follow-up with the consumer you need to go through the more complete authorization. The same applies for the privacy notice statement -- it does not need to be given to consumers at sign-up sheet time but it needs to be provided when you follow up.

To scenario 3 - we know you or your organization are probably receiving direct phone calls, voicemails, or emails from consumers requesting your assister services and these communications probably disclosed the consumers PII. If a consumer directly contacts you or your organization, the consumer is providing her implicit authorization for you or your organization to access the PII that they are sharing with you. As always any PII collected during this contact should be kept private and secure and accessed only by staff who need it to carry out required duties. This implicit authorization probably again does not meet all of the requirements, the required elements that we have been talking about, so once you have call them back or meet them in person, you do need to get the complete authorization from the consumer.

Scenario 4 -- what if you obtain access to a consumer's PII through a third-party? So someone who is not you, not your assister organization, and not the consumer. For example, if a separate organization is holding a phone banking event or handing out postcards that consumers can fill out with their contact information for follow-up that organization might want to share the consumer's PII with you without the consumer being present. You might be worried that the consumer has not authorized the third-party to share her information with you. So generally speaking you are permitted to follow up with the consumer as long as you can confirm that the third-party did obtain the consumer's consent to share PII with you or your organization for the purpose of being contacted.

So the third-party who is phone banking part of their process should be getting consumers' consent over the phone to share their contact information with an assister for follow-up. The third-party should give the documentation of this consent which you should retain for your records.

The third-party who is handing out postcards -- there should be form language on the postcard clearly indicating that by filling it out the consumer is agreeing to be contacted by assisters. Once you receive the completed postcards, you put it on file as documentation that the consumer authorized follow up contact.

And again this authorization we are assuming is a preliminary authorization -- is not meeting the minimum requirements for complete consumer authorization so you do need to get that when you follow-up or meet with them in person.

These are our model authorization forms for the CACs and Navigators in FFM's. There are links here to English and Spanish versions of each. We will talk through the parts of this form and what they do.

There are four main parts -- there an acknowledgment that the consumer received information about your Navigator or CAC roles and responsibilities. Those are listed separately later in the form under attachment A. There are some definitions including some examples of what we mean by PII. There are the authorizations, the general consent -- this is the one that allows you to access, store and use, etc. consumer PII to perform your authorized assister functions. There are the specific consents, the ones that allow you to access, store or use consumer PII for other specified purposes, and we'll get into some examples of those in a minute. There are exceptions or limitations to consent -- if the consumer provides any limitations, and there is additional information about your use of consumer PII. Then there is the signature line and space for the consumer to share contact information for follow-up.

So unless consumers are limiting their consent so it only applies to one specific individual Navigator or CAC -- their authorization extends to all Navigators or CACs within your organization. It is not necessary for a consumer to give a separate authorization to each individual Navigator or CAC who helps her. On the model forms each time you see the bracketed word name you should put the name of your Navigator or CAC organization. This is explained to the consumer in the general consent section. If she does want to limit her consent to a specific individual Navigator or CAC you should also insert their name.

This is what the general consent section looks like. Again consent to store, access and use consumer PII to perform your authorized duties. And this is the Navigator form -- this lists the Navigator duties you can use and store PII to perform. And in that additional information section it specifies that if a consumer gives her contact information when she signs the form, her general consent includes permission for you to follow up with her about applying for or enrolling in coverage after your first meeting.

Maybe she does not get all the way through plan selection or maybe she does -- but she has a data matching issue and you want to follow up and help to resolve it. As long as this general consent section is completed and the consumer consents to follow up by giving her contact information at the end it is okay and we encourage you to respect her ask for application and enrollment assistance. It's not required but it's definitely fine.

This is the specific consent section. This is for things that are not included in the authorized functions listed in the model forms. So for example we added language here to make it clear that consumers can consent to follow-up for help with the reenrollment process. Maybe your organization likes to reach back out to people in the fall and encourage them to return to the Marketplace. Make sure they are still enrolled in the best plan for them. If consumers provide their consent there that is something you can use their PII to do. You can also add other specific consents -- example you might add language allowing consumers to consent to follow-up for post-enrollment assistance. Things like helping consumers understand their new health coverage and how to use it. That kind of thing -- if you want to use a consumer's PII to follow-up since that's outside the scope of the functions that are listed in the model form you would need to get specific consent.

The additional information section among other things says that you will only ask the consumer for the minimum PII necessary to help them. You will ensure that consumer's PII is kept private and secure and follow the privacy and security standards we talked about earlier. You may follow up with them about applying for or enrolling in coverage if they provide the contact information. You might share the consumer's PII if you are referring the consumer to another source of help. You will provide the consumer with copies of the completed authorization form and your roles and responsibilities that are in attachment A of the model forms. There is also space to tell consumers about any state requirements that require use of the consumer's PII.

Then we wanted to give you some concrete examples of what safeguarding PII might look like. These might not all be the necessary in all circumstances -- or you might need to do more than these to meet your privacy and security requirements but these are some best practices. So having routine internal discussions about how your organization protects consumer PII and ongoing monitoring of how it is going, maybe taking additional trainings beyond the annual Marketplace training. Developing standard operating procedures and checklists for the processes of obtaining consumer authorization that. We definitely recommend using private spaces when you provide application and enrollment assistance. Don't leave documents containing PII unattended or where unauthorized people could access them. Keep them secure and private.

More best practices -- don't forward PII to personal email accounts. Protect emails that contain PII, for example using encryption software. Lock up portable devices like laptops and cell phones. Clear your browser history and disable the auto-fill settings on your web browser. All computer equipment including mobile devices should have a password-protected login screen. You should always return originals or copies of official documents that contain consumer's PII to the consumers. Only make or retain copies of consumer's official documents if it's necessary to carry out your authorized functions and required duties. And like all PII these should be securely stored.

What to do if there is an incident or breach. Navigator and CAC organizations have to implement policies to handle PII reaches and security incidents consistent with CMS incident handling and breach notification procedures. Listed in best practices -- but this is actually a requirement.

These policies and procedures have to identify the personnel who are responsible for reporting and managing PII incidents or breaches to CMS and require these personnel be available to CMS upon request. They have to address how to identify an incident and how to determine if PII is involved. They have to require all Navigators or CACs to report potential incidents and breaches to the organization. They have to require reporting of any incident or breach to the CMS IT service desk and there is a phone number here and an email address, within one hour of discovery. This contact information is in the privacy and security standards that are in your grant terms and conditions for your agreement with CMS. You can reference it there and it'll also be at the end of the presentation again.

Require completion of a CMS security incident report. Provide details regarding the identification, response, recovery and follow-up of incidents and breaches.

These are some examples of the kinds of issues that you need to report. Lost, stolen or misplaced records that contain PII. Unauthorized people accessing or taking possession of consumer PII. If you lose an electronic device or it gets stolen or misplaced, so like a tablet or a laptop -- and it contains consumer PII you would need to report that, and any other unauthorized disclosure of PII.

These are some resources you can refer to -- there's guidance about obtaining consumer authorization, best practices for handling PII and there is the model authorization form.

As always if you have questions about privacy and security requirements, CACs and non-Navigator assistance personnel can email CACquestions@CMS.HHS.gov. Navigators can email Navigator grants email at navigatorgrants@CMS.HHS.gov or contact your project officer. Here is the information for reporting incidents and breaches again. With that I will turn it back over to Michelle.

Q&A

Thanks, Emily. I am going to keep up the slides that have resources for people. I know some people asked for links so I will leave it up there while we do some questions we have gotten. We're going to start with questions from the presentation. On some post-enrollment activities.

Now that open enrollment is over, I have had more consumers come in and asked me about tax-preparation and their form 1095As. I am not a trained tax professional and I don't know how to handle these situations. So what type of information can I provide the consumer?

Assisters play an important role in helping consumers understand the tax implications of their enrollment decisions. Specifically assisters can help consumers with topics such as the Marketplace's Form 1095A, the fee for not having health insurance coverage, exemptions, including applying for exemptions through the Marketplace, and understanding premium tax credits. Information on these topics is available on HealthCare.gov as well as on Marketplace.cms.gov. Assisters can also call the call center with consumers for help with these issues.

We also want to caution that unless an assister is also a trained tax preparer that they should not help a consumer actually prepare their tax forms or apply for an exemption through their tax filings. Assisters instead should refer consumers to questions related to their tax filing either through a tax preparer or through the IRS. Over the coming weeks we are going to be providing some more information, newsletters to help consumers understand the tax implications of their enrollment decisions.

We know there are a lot of assisters and groups doing really fantastic work across the country. Is there any way that other assisters can learn about these best practices and successful activities and approaches from some of their other assisters colleagues?

We hear about these wonderful examples all the time. In an effort to share these practices with other Assisters we will be highlighting them throughout our assister Spotlight section of the newsletter. We will also be highlighting resources that assisters have created and shared on the online resource library for assisters online on CMSzone. This online library allows members to share materials and to learn about enrollment events. We look forward to seeing the resources you have created and hearing about your best practices.

If you are a Navigator grantee and would like to highlight a successful best practice on one of our webinars or in the newsletter please contact your project offices or if you are a CAC you can send an email to the CAC inbox with the subject line assister spotlight best practices.

Are assisters expected to help with the SHOP applications and enrollment since SHOP is open year-round?

All assisters whether CAC, Navigators, or enrollment assistance personnel must provide SHOP enrollment assistance to the employees of small businesses that have selected to offer a SHOP Marketplace plan or plans. This is part of their obligation to serve every consumer who comes to them for enrollment assistance. That being said, the requirements that apply to providing assistance to small employers are different and depend on whether an assister is a Navigator, CAC or enrollment-assistance personnel -- although we expect most small employers will rely on SHOP registered agents and brokers for enrollment, Navigators and enrollment application personnel are required to be able to provide SHOP assistance to small employers who come to them seeking their assistance. CACs on the other hand are not required to us provide shop assistance to small employers although they can do so if they choose to.

We also want to say that while Navigators are expected to help all small businesses that come to them for assistance, they are not expected to seek out small employers to assist. Unless they are in a community where this is part of the population they are targeting and they feel comfortable doing so. In addition, under some circumstances a Navigator or EAP may fulfill the obligation to provide SHOP assistance to a small employer merely by providing a referral to either the SHOP call center or either another Navigator or EAP who has the capacity to serve the small employer more effectively than they feel they could.

I know people have a lot of questions about SHOP -- so I just want to highlight that we had a webinar on SHOP in the fall and also included some resources and tips in the January 6 newsletter, so dig back and go back to the recording of the webinars if you have more questions about SHOP.

Now we're going to switch gears and ask questions to Emily about the PII presentation.

First is there a word version of the model form that assisters can use?

We don't have a word version posted online but you can request one. If you are a CAC -- send a request to the CAC questions mailbox to receive a word version. If you are a Navigator reach out to your project officer if you want a word version of the Navigator form.

Do consumer authorizations expire -- does the consumer need to renew it for each open enrollment?

No, the authorization can last indefinitely. Unless the consumer revokes it or specifies a time limit. Although nothing stops an organization if they want to from setting an expiration date or requiring periodic renewals.

But nothing in our rules requires consumers renew their authorization periodically.

If an assister organization can make changes to the CMS model authorization form, do they need to send it to CMS to review?

No, definitely not. We do suggest that you consult with us if you want to add specific consents to use consumer's PII. For things that are not clearly directly related to an assister's regulatory duties. Navigators you would check with your project officers -- CACs would put them in the questions box.

Other than that, we don't review modifications and our approval is not required if you want to tweak the model form or make your own changes.

This person asked -- my organization is also a community health center. Can I use the CAC model authorization form to get consent to use consumer's PII for Healthcare Services?

We recommend as a best practice that you use a separate document if you want to get consumer's consent to access or use PII for something outside of the scope of your assister work. If you are a healthcare organization and providing Healthcare Services, we recommend using a separate consent document for those services. It makes it easier for consumers to understand the scope of your assister duties and how their PII will be used in the context of the organization's assister related services. It also makes it easier just for your organization to comply with any different retention periods, limitations or expiration dates that might be associated with those other activities.

We have one last question -- during the presentation you mentioned that organizations must keep the data for a six year minimum timeframe. Does this mean electronic authorization for six years or does it have to be the physical form?

Electronic is okay. We don't specify how you need to keep it as long as you keep it securely in accordance with the privacy and security standards. That is fine. As long as you -- if you are going to dispose of the paper copy, you need to dispose of that securely.

Thank you everyone for the questions that you submitted through the chat feature. We will be sure to follow up with additional answers in our newsletter in the coming weeks. A special thanks to our presenters Gian and Emily for joining us today. Our next webinar will be in two weeks on February 19th at 2 PM Eastern -- if you would like to sign up for the CMS weekly assister newsletter list serve and receive webinar invitations sent a request to the assister listserv inbox and write "add to listserv" in the subject line. Finally thank you again for all of your hard work and we hope you have a wonderful weekend!