



Date: October 20, 2015 (Updated from October 8, 2014)

Subject: Frequently Asked Questions (FAQs) Regarding the Availability of 2016 Qualified Health Plan (QHP) Information for Web-Brokers

CMS regulations establish additional requirements that apply when an agent or broker uses their own website, or that of another agent or broker, to facilitate enrollment in a QHP through the Federally-Facilitated Marketplace. CMS refers to such agents or brokers who enroll qualified individuals, employers and employees through public-facing websites as “web-brokers.”

Q. What QHP data is CMS making available to web-brokers for the 2016 plan year?

A. Web-brokers must disclose and display all QHP information provided by the Federally-Facilitated Marketplace or directly by QHP issuers, as required under 45 CFR 155.220(c)(3). Similar to last year, so that web-brokers can comply with this requirement, CMS is providing a limited subset of 2016 QHP data for all individual market QHPs offered through the applicable Federally-facilitated Marketplace(s) (“2016 QHP Limited File”) prior to the 2016 Open Enrollment Period (OEP) that begins on November 1, 2015. The information contained in the file is embargoed and should not be made public until November 1, 2015 unless otherwise specified in writing by CMS.

Q. What QHP data fields will be included in the 2016 QHP Limited File?

The information contained in the 2016 QHP Limited File will be drawn from the same data extract as information identifying the landscape of QHPs (QHP Landscape), or other QHP information CMS releases to the public that will later appear on the CMS website.

The 2016 QHP Limited File will contain data for web-brokers to list all QHPs that would be available to consumers on the Federally-Facilitated Marketplaces, including those where the state is performing plan management functions. This data will include:

- QHP Issuer details: QHP issuer name, address and contact information
- QHP details: QHP name, type of plan, level of coverage, and the state in which the QHP is offered.

The 2016 QHP Limited File will NOT contain:

- QHP rate, benefit, cost-sharing, network, payment URL or service area information.

In the current health insurance market, web-broker entities obtain additional information on health plan products that are displayed on their websites directly from those health insurance issuers with whom they have a contractual relationship. Web-brokers work with these issuers to ensure that the data displayed on its websites is accurate. CMS seeks to continue to leverage such practices, and would encourage web-brokers to work directly with QHP issuers with whom the web-broker has a contractual relationship to obtain additional or essential QHP details that CMS does not directly make available to web-brokers or the public, for each QHP offered through the Federally-facilitated Marketplace.

Web-brokers are responsible for the accuracy of QHP information displayed on its website and must prominently display a standardized disclaimer provided by CMS¹ on its website that informs consumers that the web-broker's website is not the official Federally-facilitated Marketplace website, and provide a link to Healthcare.gov. As part of the display requirements, web-brokers must also prominently display the following standardized disclaimers on their websites:

“Plan Detail Disclaimer” pursuant to 45 CFR § 155.205(b)(1) if the web-broker does not display additional required comparative plan information for a specific QHP offered on an FFM on the QHP selection page. Web-brokers must disclose and display on their websites all QHP standardized comparative information provided by CMS or directly by QHP issuers with whom it has a contractual relationship consistent with 45 CFR § 155.205(b)(1) and (c).

Currently this includes:

- All QHPs offered through the Individual Marketplace (i.e., listed at HealthCare.gov)
- Standardized comparative information for each of these QHPs.

Q. When will CMS make available QHP data to web-brokers for the 2016 plan year?

Since CMS cannot release the final 2016 QHP information until after 2016 QHP certification period ends, we are releasing a limited subset of information to web-brokers in advance so web-brokers may begin preparing for the 2016 OEP. We anticipate the release date for the 2016 QHP Limited File to be the end of October 2015.

Q. Will CMS make more detailed 2016 QHP data available once 2016 QHPs are certified?

Yes, CMS will provide data on certified 2016 QHPs that is at least as detailed as the data it provided for the 2015 plan year.

¹ Available at <https://zone.cms.gov/document/guidance-web-brokers-displaying-mandatory-standardized-disclaimers>.