

CMS Direct Enrollment: Proxy Pathway 101



July 20, 2017

Agenda

- Overview goal and purpose
- DE Proxy Pathway Basics
 - What is the DE Proxy Pathway?
 - High-level timeline for DE Proxy Pathway
 - Deeper Dive into DE Proxy Pathway Technical Timeline Overview
- DE Proxy Pathway Compliance + Audit
 - How to get approved to use DE Proxy Pathway
 - What does the DE Proxy Pathway Audit entail?
 - Overview of Auditor tips + tools
- DE Proxy Pathway Privacy and Security Overview
- DE Webinar Forums, Meetings & Outreach
- Questions + Answers

DE Proxy Basics

- **Direct Enrollment (DE)** allows a consumer, or an issuer, agent or broker assisting a consumer, to shop for coverage on a third party website to encourage innovative ways to provide an improved customer experience and easier access to enroll in individual market Exchange coverage offered through HealthCare.gov.
- **On May 17, 2017** CMS announced that it will no longer require the consumer-facing redirect with Security Assertion Markup Language (SAML) for all individual market enrollment transactions for coverage offered through the Federally-facilitated Exchanges (FFE) and State-Based Exchanges on the Federal Platform (SBE-FPs) that rely on HealthCare.gov for individual market eligibility and enrollment functions.
- **What does this mean?** Beginning plan year 2018 Open Enrollment, CMS will allow DE Entities to collect consumer information on their websites and input that information into HealthCare.gov.

Announcement: <https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/Guidance-for-the-Proxy-Direct-Enrollment-Pathway-for-2018-Individual-Market-Open-Enrollment-Period.pdf>

High-level Timeline for DE Proxy

Date	
5/17	CMS Announces DE Proxy and releases formal guidance
6/19	CMS Releases DE Proxy Auditor Guidance
6/30	CMS Releases Module #1 of DE Proxy Auditor Training
Mid July-August	CMS Released Modules #2-4 of DE Proxy Auditor Training
Starting in July	DE Entities Submit DE Proxy Operational Readiness Review (ORR) Audit, Training, and Agreement for CMS review
7/20	CMS Begins DE Proxy Webinars to Promote DE Proxy and Assist DE Entities (On-going series)
9/26	CMS Begins Review of DE Entity ORR Reports for OE 2018
11/1	Launch of OE 2018

DE Proxy Basics: Overview of Key Program Points

- **Optional**: DE Proxy is optional; existing DE Entities can continue to run DE as they have in the past.
- **Streamlined Application**: DE Proxy is available for use with the streamlined application user interface (UI); DE Entities must redirect consumers who are not eligible for the streamlined application back to the traditional DE Pathway.
- **Eligibility Determinations**: The FFM makes all eligibility determinations for all consumers.
- **Auditing & DE Proxy Requirements**: DE Entities must be approved by CMS before implementing DE Proxy Pathway, adhere to privacy & security requirements, sign a DE Proxy agreement, and hire an independent auditor to demonstrate compliance.

Steps to Use the DE Proxy Pathway

In order to use the DE Proxy Pathway, DE Entities must do the following:

- Establish a functioning DE pathway (if not using an existing pathway);
- Express an interest in participating to CMS by sending an email to the Direct Enrollment inbox at directenrollment@cms.hhs.gov;
- Complete DE Proxy Audit Training;
- Sign and submit a DE Proxy Agreement;
- Develop and implement the DE Proxy Pathway, including a replica of the FFE streamlined application UI, consistent with CMS requirements;
- Complete and submit a DE Proxy Audit and Review; and
- Conduct DE Proxy technical testing.

DE Proxy Pathway Compliance

DE Entities will have to be in compliance with the Direct Enrollment(DE) Proxy Pathway in order to leverage DE Proxy. DE Proxy Pathway compliance will cover a broad range of topics, CMS will provide all relevant information needed for DE Entities to prepare for a Open Enrollment.

- The goals of the DE Proxy compliance are to:
 - Ensure consumer data and PII are protected
 - Ensure DE entities contract with an auditor to perform an operational readiness review (ORR) prior to the OEP
 - Ensure proxy direct enrollment partners remain in compliance with program requirements

DE Proxy Audit Overview

- In order to use the proxy DE pathway, DE Entities must contract with an auditor to perform an operational readiness review (ORR) prior to the OE.
- The third-party auditor is responsible for conducting an ORR and certifying a DE Entity's website(s) for compliance with the proxy program requirements.
- For plan year 2018 OEP, CMS will only require that DE Entities seeking to use the proxy DE pathway submit ORR findings reports to CMS.
- Upon submitting the ORR findings report for a DE Entity, the auditor's role with respect to that DE Entity has concluded.

DE Entities Using DE Proxy Pathway:

- CMS will consider third-party auditors to be downstream and delegated entities of QHP issuers and web-brokers, in accordance with 45 CFR 156.340, the QHP Issuer Agreement and the Web-broker Agreement.
- DE Entities are solely responsible for auditor performance and compliance with the program requirements, pursuant to the DE Proxy Agreement and their respective program agreements and regulations. CMS expects that DE Entity will maintain accurate testing environments that duplicate the production application on their website.

DE Proxy Audit Overview: Required Training

Auditor Training Requirements:

Per the *Third-party Auditor Operational Readiness Reviews (ORR) for the Proxy Direct Enrollment Pathway* guidelines CMS published on June 16, 2017 regarding third-party auditor ORRs for the proxy DE pathway for plan year 2018, auditors, are required to take CMS-mandated training. CMS requires that some modules be completed prior to conducting an ORR, including, at a minimum: Module 1 (details below), and Modules detailing the proxy DE technical and privacy and security requirements. All other modules must be completed, but can be completed after initiating the ORR. All audit staff are required to take and complete the training, and a representative from the DE entity should also take the training. The training is a self-paced computer-based training (CBT).

Module 1 of the training, “Audit Vendor Guidelines” provides an in-depth review of the guidelines published on June 16, 2017 (available here: https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/Third-party_Auditor_Operational_Readiness.pdf). The training focuses on the following topics:

- Guidance for selecting an auditor,
- Program requirements,
- Scope of the ORR for participants,
- Eligibility results testing,
- Required documentation,
- The approval process and timeline, and
- Resources.

CMS will provide information about the subsequent training modules once they become available.

DE Entities can access the training via REGTAP at the following link: https://www.regtap.info/reg_librarye.php?i=2163&type=v.

DE Proxy Audit Overview: Required Training (continued)

There are 5 training modules scheduled for the DE Proxy Auditor Training:

(CMS will provide information about the subsequent training modules once they become available)

- **Module 1:** DE proxy Regulatory/compliance standards
- **Module 2:** Applicable DE technical requirements and auditing standards
- **Module 3:** Privacy/security standards
- **Module 4:** CMS reporting requirements
- **Module 5:** DE technical enhancements and standards

Supplemental training modules and materials will be provided as needed.

DE Proxy Privacy and Security Requirements

- DE Proxy allows entities to collect Consumer Personally Identifiable Information (PII) requiring more Security and Privacy oversight than traditional DE “double redirect”.
- DE Proxy Security and Privacy Requirements based on NIST 800-53 and 800-171.
- Security controls mapped to HIPPA requirements.
 - Many potential DE entities should already be compliant as they are HIPPA covered entities.
- Implement 108 Controls:
 - Represents a subset of FISMA Moderate Controls which have been tailored to DE Proxy context.
- Provide third party security assessment report to CMS by 10/01/2017.
 - Any findings should also include a Plan of Action and Milestones for each control deficiency.

DE Proxy Webinar Forums

- **All-Issuer/Web Broker Technical Work Group (Tuesdays @3 PM ET)**: All DE Entities currently attend this weekly 90-minute webinar on Tuesdays at 3:00 p.m. – 4:30 p.m. Eastern Time (same forum where topics such as SEP-V and the introduction of DE Proxy were initially made). DE Entities continue to get weekly updates in this forum including an interactive questions and answers session, along with education on other Marketplace issues such as the ramp-up for Open Enrollment 2018. Slides from all webinars are posted on CMSzONE.
- **Direct Enrollment (DE) Proxy: Technical and Audit Support Sessions (Thursdays @ 3 PM ET)**: Beginning August 3rd, we will host a REGTAP webinar series periodically on Thursdays at the same time focused exclusively on DE Proxy Pathway, where DE Entities can bring technical questions from auditors, discuss testing and implementation issues, and engage with CMS proxy experts during interactive Q&A. To register for the series, go to www.regtap.info and sign up for the series “Plan Year 2018 Direct Enrollment (DE) Proxy Pathway”; complete schedule is displayed.

Date	Time
8/3/17	3:00 p.m. – 4:00 p.m. ET
8/17/17	3:00 p.m. – 4:00 p.m. ET
9/14/17	3:00 p.m. – 4:00 p.m. ET
9/28/17	3:00 p.m. – 4:00 p.m. ET
10/12/17	3:00 p.m. – 4:00 p.m. ET
10/26/17	3:00 p.m. – 4:00 p.m. ET

DE Proxy Help Desk Support

- **General Support Model:** CMS currently manages multi-team DE entity-facing Help Desks to address questions, technical problems, operational issues, issues, and policy questions for all DE Entities, in addition to hosting weekly webinars inclusive of interactive question and answers.
- **Policy Questions & Audit Issues:** DE Entities with policy questions related to the audits or DE Proxy Agreement should email the help desk at directenrollment@cms.hhs.gov. DE Entities should also use this mailbox to indicate to CMS their intent to implement the proxy method, and communicate when they have identified a third-party auditor.
- **Technical/Operational Issues:** DE Entities with technical issues or operational problems around DE Proxy Pathway, such as system issues they encounter while testing, should e-mail CMS_FEPS@cms.hhs.gov with the specific subject line pre-fix “DE Proxy,” which will then be routed to the appropriate team for adjudication.
- **FAQs & CMSzONE:** In parallel to the above, answers to frequently asked questions (FAQs) on DE Proxy Pathway sent to the Help Desk will also be summarized and shared on the CMS-Issuer Technical Work Group webinar that is open to all issuers and web brokers on Tuesday afternoons, as well as any future DE Proxy-focused webinars, and posted on both the issuer and web broker CMSzONE communities.

DE Proxy: Question + Answer

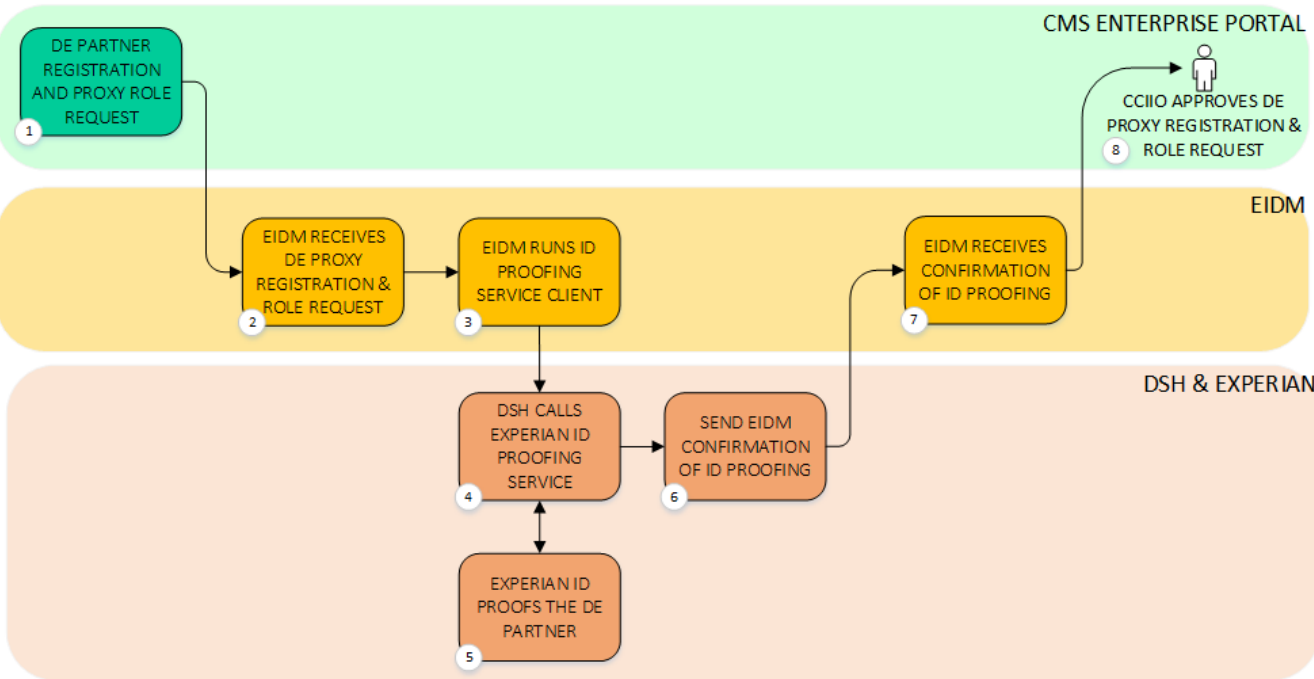


- To submit or withdraw questions by phone:
 - *To submit a question, dial 'star(*) pound(#)' on your phone's keypad.*
 - *To withdraw a question, dial 'star(*) pound(#)' on your phone's keypad.*
- To submit questions by webinar:
 - *Type your question in the text box under the 'Q&A' tab and click 'Send.'*

Appendix: DE Proxy Technical Details



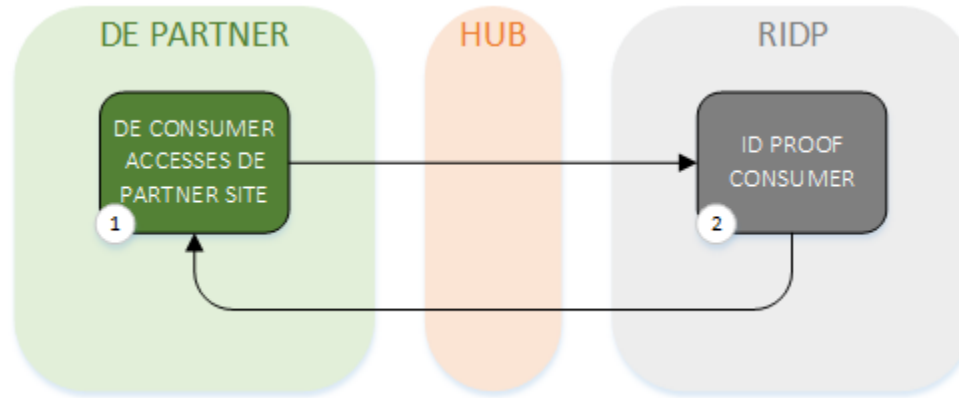
DE Proxy Registration & Role Request



Key Points

- DE Entity applies to use DE Proxy; 1-2 individuals from organization signs up for role.
- CCEO serves as the approving authority

Consumer Identity Proofing



Key Points

- DE Entities are to verify consumer identities prior to submitting application.
- To support this, CMS is offering its Remote Identity Proofing (RIDP) service to DE Entities
- DE Entities should store RIDP information so returning consumers do not invoke the service repeatedly.

DE Entity Verifies Consumer Eligibility for Proxy

Before you get started
Fill in the information below about your household. Not applying for coverage in Tennessee? [Change your state.](#)

Are you single or married? [?](#)

☐ SINGLE ☒ MARRIED

How many tax dependents, like your children, will you claim on your 2017 tax return? [?](#)
Include all of your dependents on your 2017 tax return, even those not applying for coverage.
Don't include yourself or your spouse.

2 [?](#)

Of the 4 people above, who are you applying for coverage for? Select all that apply. [?](#)

☐ ME
☐ MY SPOUSE
☒ SELECT DEPENDENTS
☐ NEITHER OF MY DEPENDENTS
☐ 1 OF MY DEPENDENTS
☐ BOTH OF MY DEPENDENTS

How much income will your household make this year? (optional) [?](#)

☒ \$102,000 OR LESS ☐ MORE THAN \$102,000

Do you want to answer additional questions to see if you qualify for help paying for coverage? [?](#)

☐ YES ☒ NO

Answer some questions about the people applying for coverage: You

☐ YES ☐ NO Do you currently live in Tennessee? [?](#)

☐ YES ☐ NO Do you plan to file a federal income tax return for 2017?
You don't have to file taxes to apply for coverage, but you'll need to file next year if you want to get a premium tax credit to help pay for coverage now. [?](#)

☐ YES ☐ NO Are you a U.S. citizen? [?](#)

☐ YES ☐ NO Can you enter your Social Security Number (SSN)? [?](#)

☐ YES ☐ NO Are you applying under a name different than the one on your Social Security card? [?](#)

☐ YES ☐ NO Were you born outside the U.S. and became a naturalized or derived U.S. citizen? [?](#)

☐ YES ☐ NO Are you currently incarcerated (detained or jailed)?

☐ YES ☐ NO Are you an American Indian or Alaska Native? [?](#)

☐ YES ☐ NO Are you responsible for a child 18 or younger who lives with you, but isn't on your tax return? [?](#)

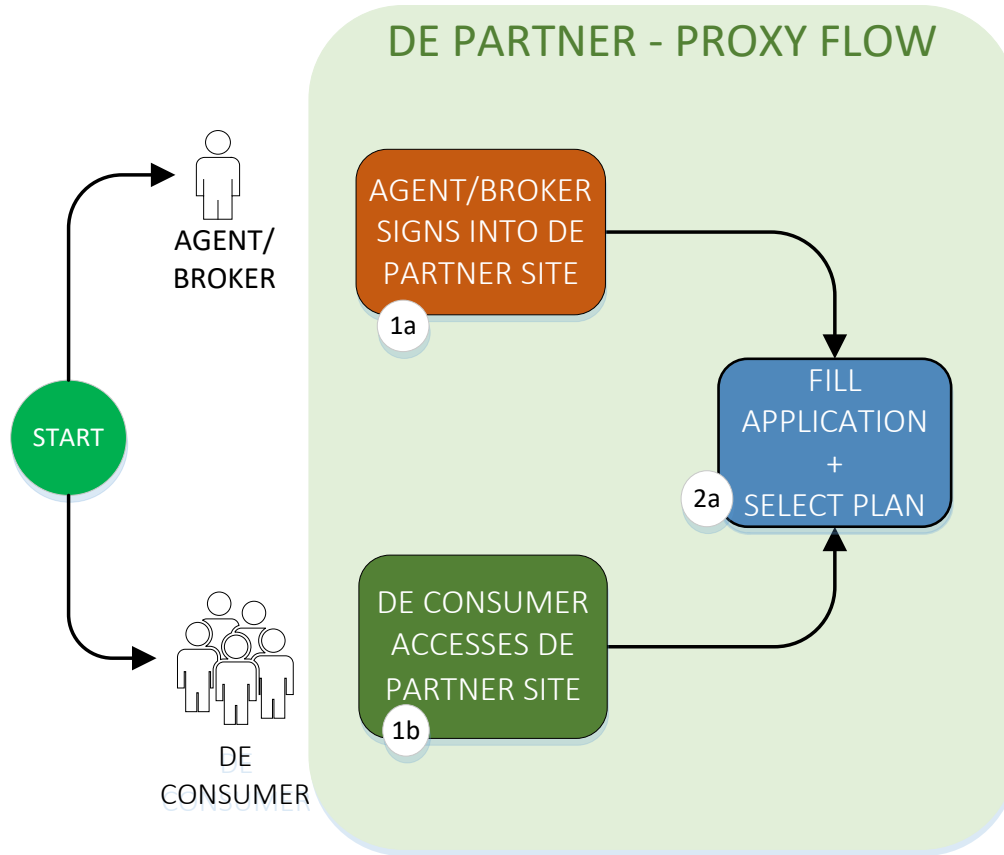
☐ YES ☐ NO Are you offered health coverage through your job, someone else's job, or COBRA?
(Select "Yes" even if you didn't enroll, or the enrollment period is over.) [?](#)

☐ YES ☐ NO Is anyone pregnant, or have you had a child in the last 60 days?

Key Points

- Streamlined application UI Screener – Confirm that the consumer can use the FFE streamlined application UI.
- Handoff to existing DE Pathways – If the consumer is not eligible to use the FFE streamlined application UI, the DE Entity should provide other methods for the consumer to verify their eligibility.

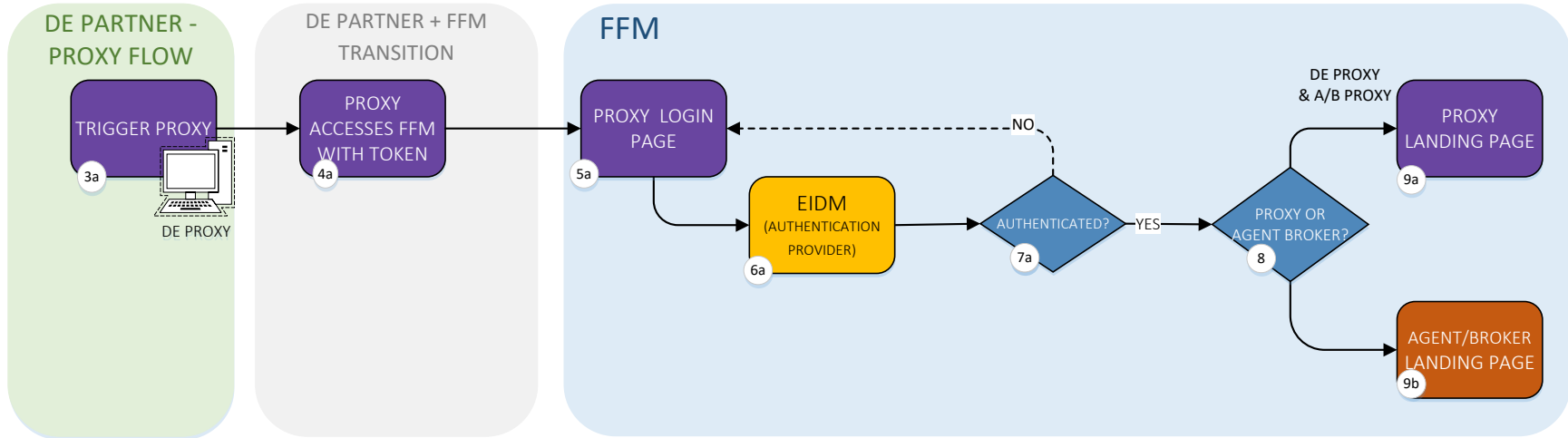
Consumer Fills Out DE Application



Key Points

- DE Entities map Application to FFE streamlined application UI.
- DE Entity must capture for the specific application if it is an Agent/Broker (A/B) or Consumer proxy (will be used later in the flow).

DE Entity Authentication

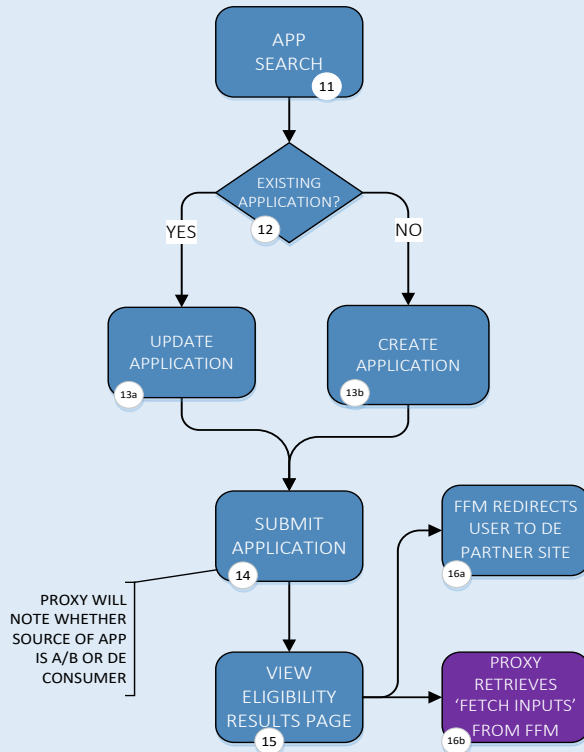


Key Points

- DE Entity EIDM Credential
- Proxy Landing Page
 - New Module for DE Consumer Proxy vs A/B Proxy
- Agent/Broker Login Page
 - A/B should not create an account for the consumer (mitigating the risk of creating consumer accounts without consumer knowledge)
 - There will not be a reCAPTCHA box for proxy

DE Entity Search & Eligibility Determination

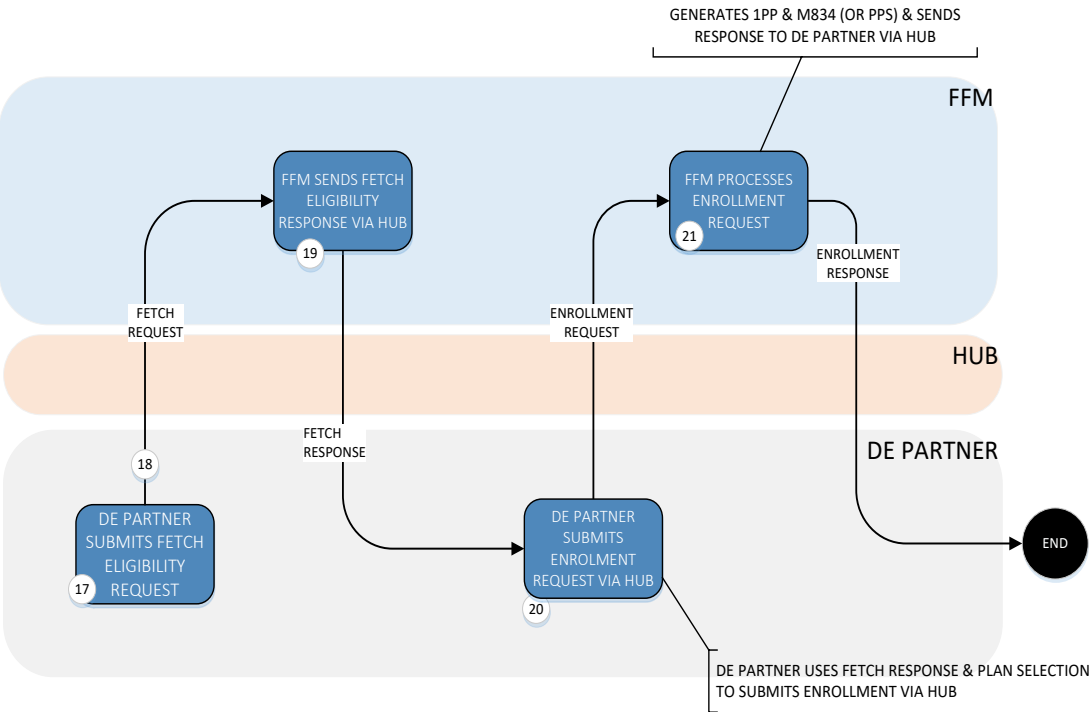
FFM



Key Points

- DE Entity Search
 - Check for existing applications to prevent duplicate applications.
- FFE Completes Eligibility Determination
 - Eligibility Determination Notice is generated.
 - DE entity must provide the consumer with the EDN for DE Proxy.
- The DE Entity should not attempt to retry when submitting applications through the proxy method.
- DE Entities should not use streamlined application UI post service.
- DE Entities will validate and verify the A/B authorization and access using data.healthcare.gov.

DE Entity Submits Enrollment Information



Key Points

- DE Entity Receives Eligibility via Fetch Eligibility web service
 - DE entities will not be able to view additional eligibility information (DMIs, SEP Eligibility, etc) in the fetch eligibility service for DE Proxy.
 - DE Entities will not be able to upload documents for DMIs and SEP-V with DE Proxy.
 - DE Entity Presents Eligibility Information
- DE Entity Submits Enrollment
 - New User Types: DE Consumer Proxy, A/B Proxy
 - User type value will be used to track the enrollment method.

Privacy and Security Families

Security/Privacy Control Categories

Access Control (AC)	Risk Assessment (RA)
Awareness and Training (AT)	System and Services Acquisition (SA)
Audit and Accountability (AU)	System and Communications Protection (SC)
Security Assessment and Authorization (CA)	System and Information Integrity (SI)
Configuration Management (CM)	Authority and Purpose (AP)
Identification and Authentication (IA)	Accountability, Audit, and Risk Management (AR)
Incident Response (IR)	Data Quality and Integrity (DI)
Maintenance (MA)	Data Minimization and Retention (DM)
Media Protection (MP)	Individual Participation and Redress (IP)
Physical and Environmental Protection (PE)	Security (SE)
Planning (PL)	Transparency (TR)
Personnel Security (PS)	Use Limitation (UL)

Privacy and Security Controls

Control #	Security/Privacy Control Name	Control #	Security/Privacy Control Name
AC-1	Access Control Policy and Procedures	AU-9	Protection of Audit Information
AC-2	Account Management	AU-11	Audit Record Retention
AC-2(3)	Disable Inactive Accounts	CA-2	Security Assessments
AC-2(4)	Automated Audit Actions	CA-2(1)	Independent Assessors
AC-2(10)	Shared / Group Account Credential Termination	CA-3	System Interconnections
AC-3	Access Enforcement	CA-5	Plan of Action and Milestones
AC-3(9)	Access Enforcement – Controlled Release	CA-6	Security Authorization
AC-4	Information Flow Enforcement	CA-7	Continuous Monitoring
AC-5	Separation of Duties	CA-9	Internal System Connections
AC-6	Least Privilege	CM-2	Baseline Configuration
AC-6(5)	Privileged Accounts	CM-3	Configuration Change Control
AC-6(9)	Auditing Use of Privileged Functions	CM-4	Security Impact Analysis
AC-7	Unsuccessful Logon Attempts	CM-6	Configuration Settings
AC-8	System Use Notification	CM-7	Least Functionality
AC-11	Session Lock	CM-8	Information System Component Inventory
AC-12	Session Termination	CM-11	User-Installed Software
AC-14	Permitted Actions Without Identification or Authentication	IA-2	Identification and Authentication (Organizational Users)
AC-17	Remote Access	IA-4	Identifier Management
AC-18	Wireless Access	IA-5	Authenticator Management
AC-20	Use of External Information Systems	IA-5(1)	Password-Based Authentication
AC-20(1)	Limits on Authorized Use	IA-5(15)	FICAM-Approved Products and Services
AC-20(2)	Portable Storage Devices	IA-8	Identification and Authentication (Non-Organizational Users)
AC-21	Information Sharing	IR-1	Incident Response Policy and Procedures
AT-2	Security Awareness Training	IR-4	Incident Handling
AT-2(2)	Insider Threat	IR-5	Incident Monitoring
AU-2	Audit Events	IR-6	Incident Reporting
AU-6	Audit Review, Analysis, and Reporting	MA-2	Controlled Maintenance

Privacy and Security Controls

Control #	Security/Privacy Control Name	Control #	Security/Privacy Control Name
MA-5	Maintenance Personnel	SI-3(2)	Automatic Updates
MP-2	Media Access	SI-5	Security Alerts, Advisories, and Directives
MP-3	Media Marking	SI-7	Software, Firmware, and Information Integrity
MP-6	Media Sanitization	SI-10	Information Input Validation
PE-2	Physical Access Authorizations	SI-11	Error Handling
PE-3	Physical Access Control	AP-1	Authority to Collect
PE-18	Location of Information System Components	AP-2	Purpose Specification
PL-2	System Security Plan	AR-1	Governance and Privacy Program
PL-4	Rules of Behavior	AR-2	Privacy Impact and Privacy Program
PS-3	Personnel Screening	AR-5	Privacy Awareness and Training
PS-6	Access Agreements	AR-8	Accounting of Disclosures
PS-7	Third-Party Personnel Security	DI-1	Data Quality
RA-3	Risk Assessment	DI-1(1)	Validate PII
RA-5	Vulnerability Scanning	DM-1	Minimization of Personally Identifiable
RA-5(1)	Update Tool Capability	DM-2	Data Retention and Disposal
RA-5(2)	Update by Frequency/Prior to New Scan/When Identified	DM-3	Minimization of PII Used in Testing, Training, and Research
SA-3	System Development Life Cycle	DM-3 (1)	Minimization of PII Used in Testing, Training, and Research/Risk Minimization Techniques
SA-4	Acquisition Process	IP-1	Consent
SA-5	Information System Documentation	IP-2	Individual Access
SA-10	Developer Configuration Management	IP-3	Redress
SA-11	Developer Security Testing and Evaluation	IP-4	Complaint Management
SA-22	Unsupported System Components	SE-1	Inventory of Personally Identifiable Information
SC-8	Transmission Confidentiality and Integrity	SE-2	Privacy Incident Response
SC-12	Cryptographic Key Establishment and Management	TR-1	Privacy Notice
SC-23	Session Authenticity	TR-2	System of Records Notices and Privacy Act Statements
SC-28	Protection of Information at Rest	TR-3	Dissemination of Privacy Program Information
SI-3	Malicious Code Protection	UL-1	Internal Use

Technical Details: Question + Answer



- To submit or withdraw questions by phone:
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DE REGTAP Resource page

Log on to
www.REGTAP.info to
 register for the next
 DE training session.



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The Direct Enrollment (DE) Proxy Method Audit Vendor Guidance Resources

[Get Adobe Reader](#)

Next DE Proxy Method Training Session

July 20, 2017

Days Left

3

NEW TO REGISTRATION?
click the button below

REGISTER for next DE session



Expected Direct Enrollment Activities Timeline
click the image to enlarge

Activity	Expected Timeline
DE entities notify CMS of intent to participate	Rolling beginning in June 2017
Auditors complete CMS training (organized for DE entities)	Rolling beginning in June 2017
CMS sends DE Proxy Agreement to interested entities by letter and e-sign	Early July 2017
DE entities submit DE Proxy Agreements with auditor identification	Rolling beginning in early July 2017
Auditors conduct CBT	Rolling
DE entities submit CBT findings report to CMS	Rolling
CMS reviews final technical implementation of the proxy DE pathway into the CTE testing environment	Rolling
DE entities submit eligibility results and information to CMS	Rolling
CMS reviews final technical implementation of the proxy DE pathway into the CTE testing environment	Mid September 2017
DE entities submit technical implementation of proxy DE pathway with CMS (including auditor self-eligibility results)	Rolling in September and October 2017
CMS reviews DE Proxy Agreement and approves DE entity use of proxy DE pathway for plan year 2018	Rolling beginning in September 2017 after CMS receives the CBT findings report and confirms the DE entity is functional during the final technical implementation including review and approval of the DE entity's eligibility results information and information
CMS informs approved DE entities of final steps to implement the proxy DE pathway	Rolling beginning in September 2017
Start of plan year 2018 CBT	November 1, 2017
End of plan year 2018 CBT	December 15, 2017

Welcome to the Direct Enrollment (DE) Proxy Method Audit Vendor Guidance Resources Page

On May 17, 2017, the Centers for Medicare & Medicaid Services (CMS) announced Guidance for the [Proxy Direct Enrollment Pathway for 2018 Individual Market Open Enrollment](#).

On June 16, 2017, the Centers for Medicare & Medicaid Services (CMS) published guidelines regarding third-party auditor operational readiness reviews for the proxy direct enrollment (DE) pathway for plan year 2018. The guidelines are available [here](#).

Beginning with the Open Enrollment Period (OEP) for plan year 2018, CMS is implementing an optional program to allow direct enrollment (DE) entities (Qualified Health Plan (QHP) issuers and web-brokers) to use a 'proxy DE' pathway, which eliminates the prior 'double redirect' requirement. When using the proxy DE pathway, entities will collect information needed to complete the eligibility application and then input that information into HealthCare.gov.

DE entities will need to retain a third-party auditor to validate compliance with the program requirements. DE entities wishing to use the proxy DE pathway will sign an agreement with CMS that details specific requirements for using the proxy DE pathway and identifies the auditor the DE entity has selected for verifying program compliance. CMS will consider auditors to be downstream and delegated entities of DE entities, in accordance with 45 CFR 156.340, the QHP Issuer Agreement and the Web-broker Agreement.

Auditors are required to take a multi-part training developed by CMS. All audit staff of the auditor are required to take and complete the training. A representative from the DE entity should also take the training. The training is a self-paced computer-based training (CBT) and provides information about compliance, DE technical requirements, privacy and security, and reporting requirements.

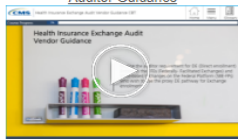
You may also email the helpdesk at webbroker@cms.hhs.gov for assistance with any questions you may have.

Register For Upcoming Events

View	Title	Date	Type	Time	Duration
	Direct Enrollment (DE): Proxy Pathway 101	07/20/2017	Webinar/LIVE Demo	3:00 p.m. - 4:00 p.m. ET	60 Minutes

Audit Vendor Computer Based Training (CBT)

[Direct Enrollment \(DE\) Proxy Third Party Auditor Guidance](#)



[View Transcript](#)

Closing Remarks

