

CMS Statement on System Changes to Stop Unauthorized Agent and Broker Marketplace Activity

Jul 19, 2024 Eligibility & enrollment

The Centers for Medicare & Medicaid Services (CMS) is committed to protecting consumers from bad actors and ensuring the program integrity of the Federally-facilitated Marketplace (FFM). That's why CMS is taking additional action to address increases in unauthorized changes in consumers' enrollments by agents and brokers. Starting on July 19, 2024, CMS will block an agent or broker from making changes to a consumer's FFM enrollment unless the agent is already associated with the consumer's enrollment. Today's new steps build on CMS' previous work to protect consumers on the FFM by suspending and terminating agents and brokers who perform unauthorized Marketplace activity.

An agent or broker who is not already associated with a consumer's enrollment must now take additional steps to update a consumer's Marketplace enrollment, even with their consent. Unassociated or "new" agents and brokers will be required to conduct a three-way call with the consumer and the Marketplace Call Center or to direct the consumer to submit the change themselves through HealthCare.gov or via an approved Classic Direct Enrollment or Enhanced Direct Enrollment partner website with a consumer pathway.

CMS anticipates these updates will help block unauthorized changes by agents and brokers to FFM enrollments. CMS will continue to monitor any malicious activity by agents or brokers on the Marketplace and will take additional appropriate action against agents and brokers engaged in misconduct.

Updates on data

In the first six months of 2024, CMS received 73,884 complaints of situations in which a consumer alleges that their plan was changed without their consent ("unauthorized plan switches") and has resolved 72,381, or 97.97%, of these complaints.

CMS continues to work to resolve the 1,503 unresolved cases of unauthorized plan switches within approximately 18 calendar days for complaints that were received between January and June of 2024.

CMS also received 134,368 complaints of situations in which a consumer alleges that they have been enrolled without their consent ("unauthorized enrollments") in the first six months of 2024; 130,187 of these cases, or 96.89%, have been resolved.

About 4,181 unauthorized enrollment cases are still pending resolution. The overall resolution time for an unauthorized enrollment case received between January and June was 53 calendar days.

For more information about case resolution activities, see CMS' May 6 statement.

Agent suspensions

Between June 21, 2024, and July 10, 2024, CMS issued 200 suspensions of agent or broker Marketplace Agreements for reasonable suspicion of fraud or abusive conduct related to unauthorized enrollments or unauthorized plan switching. When an agent or broker's Marketplace Agreement is suspended, they are prohibited from participating in the Marketplace enrollment process and, as such, receiving commission payments for enrollments through the Marketplace. CMS will continue with robust oversight and monitoring of suspicious system activities by some agents and brokers and anticipates future suspensions of the Marketplace Agreements for additional agents and brokers who are suspected of unauthorized activity over the coming months.

Consumer information

Additionally, this month, CMS began social media outreach to warn Marketplace consumers about potentially fraudulent activity by agents and brokers and misleading marketing sites.

Consumers who believe they may have been the victim of unauthorized agent or broker activity should call the Marketplace Call Center at 1-800-318-2596 (TTY: 1-855-889-4325) for prompt resolution of any coverage issues.

*For more information, see CMS' May 6 statement and
consumer assistance infographic below.*

! Alert: Unauthorized Agent and Broker Activity on ACA Marketplace

The Health Insurance Marketplace is seeing an increase in suspicious activity by some agents and brokers selling Marketplace coverage. This may include signing you up for coverage without your knowledge or switching you out of a plan you already have and into a new one.

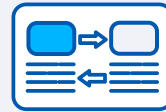


Agents and Brokers are individuals and organizations that help enroll consumers in coverage and also get payments from insurance plans.



What you need to know to protect yourself

- Agents and brokers **must get your permission** when signing you up or making changes to your insurance plan.
- Health insurance ads on social media or elsewhere that offer you cash, gifts, or other perks, could be a scam. Don't give out personal information that might be used without your consent.
- Use trusted, official sources to find legitimate help comparing and enrolling in Marketplace insurance. Go to "find local help" on [HealthCare.gov](https://www.healthcare.gov) or **call the Marketplace Call Center at 1-800-318-2596** to find help in your area.



What to do if you suspect changes were made on your account

- You may discover a potential problem with your coverage when you get mail or a call, or visit the doctor and try to use your insurance.
- If you believe you were enrolled in or switched to a plan without your knowledge, call the **Marketplace Call Center at 1-800-318-2596 (TTY: 1-855-889-4325)** so our official Marketplace representatives can resolve any coverage issues. Wait times are low and a representative will be able to help answer your questions.



How the Marketplace can help

If the Marketplace representatives determine you have been enrolled or had your plan switched without your knowledge, our representatives can work with your insurer and the Internal Revenue Service (IRS) to:

- Make sure the unauthorized plan is cancelled
- Make sure you're reenrolled in a plan that you choose
- Have inaccurate costs repaid to you
- Get corrected tax forms

! Alerta: Actividad de agentes y corredores no autorizados en Mercado ACA

El Mercado de Seguros Médicos está experimentando un aumento en la actividad sospechosa por parte de algunos agentes y corredores que venden cobertura del Mercado. Esto puede incluir inscribirlo en cobertura sin su conocimiento o cambiarlo de un plan que ya tiene a uno nuevo.

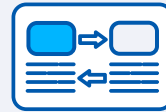


Agentes y Corredores son individuos y organizaciones que ayudan a inscribir a los consumidores en la cobertura y también a recibir pagos de los planes de salud.



Lo que necesita saber para protegerse

- Los agentes y corredores **deben obtener su permiso** al inscribirlo o realizar cambios en su plan de salud.
- Los anuncios de seguros médicos en las redes sociales o en otros lugares que le ofrecen dinero en efectivo, obsequios u otros beneficios podrían ser una estafa. No proporcione información personal que pueda usarse sin su consentimiento.
- Utilice fuentes oficiales confiables para encontrar ayuda legítima para comparar e inscribirse en seguros del Mercado. Vaya a "Encuentre ayuda local" en CuidadoDeSalud.gov o llame al **Centro de Llamadas del Mercado al 1-800-318-2596** para encontrar ayuda en su área.



Qué hacer si sospecha que se realizaron cambios en su cuenta

- Puede descubrir un problema potencial con su cobertura cuando reciba un correo o una llamada, o visite al médico e intente utilizar su seguro.
- Si cree que fue inscrito o se le cambió a un plan sin su conocimiento, llame al **Centro de Llamadas del Mercado al 1-800-318-2596 (TTY: 1-855-889-4325)** para que nuestros representantes oficiales del Mercado puedan resolver cualquier problema de cobertura. Los tiempos de espera son bajos y un representante podrá ayudarlo a responder a sus preguntas.



Cómo puede ayudar el Mercado

Si los representantes del Mercado determinan que usted ha sido inscrito o que le cambiaron de plan sin su conocimiento, nuestros representantes pueden trabajar con su aseguradora y el Servicio de Impuestos Internos (IRS) para:

- Asegurarse de que el plan no autorizado esté cancelado
- Asegurarse de volver a inscribirlo en un plan que elija
- Que se le reembolsen los costos equivocados
- Obtenga formularios de impuestos corregidos