



How to Become a Certified Application Counselor (CAC) Organization in a Federally-facilitated Marketplace (FFM)



*Center for Consumer
Information and
Insurance Oversight*

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Presentation Disclaimer

This information provided in this presentation is only intended to be a general informal summary of technical legal standards. It is not intended to take the place of the statutes, regulations, and formal policy guidance that it is based upon.

This presentation summarizes current policy and operations as of the date it was posted to [Marketplace.cms.gov](https://marketplace.cms.gov). Links to certain source documents have been provided at the end of the presentation for your reference.

We encourage audience members to refer to the applicable statutes, regulations, and other interpretive materials for complete and current information about the requirements that apply to them.

Agenda

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Note: The information contained in this presentation is specific to the Federally-facilitated Marketplace (FFM) including State Partnership Marketplaces (SPMs). Organizations in states with a State-based Marketplace (SBM) should contact the SBM or go to the SBM's website for information about the CAC program in that state.

What is a CAC and what is a CAC designated organization in a FFM?

What is a Certified Application Counselor (CAC) in a FFM?

In a FFM, a CAC is an individual staff member or volunteer who is certified by a CAC designated organization (CDO) and who is trained and able to help consumers as they look for health coverage options through the Marketplace, including helping them complete the Marketplace eligibility and enrollment process. Their services are free to consumers.

What is a CAC designated organization in a FFM?

In a FFM, a CDO is an entity that has met specific eligibility criteria, and has been formally designated by the Centers for Medicare & Medicaid Services (CMS) to serve as a CDO. In order to be designated, the entity must submit an online application and enter into an agreement with CMS. Once designated, the organization must agree to certify at least one staff member or volunteer to be a CAC.

What are the benefits of being a CAC organization in a FFM?

- Once your organization has been designated as a CDO, it can indicate its status to the consumers and the communities it wants to help.
- A designated CAC organization can certify its staff and volunteers as CACs , so that they can provide direct Marketplace application and enrollment assistance to consumers.
- Your organization 's CACs will complete CMS training to prepare them for their work as CACs and to provide them with updated information about standards and requirements that apply to them.
- CMS will provide your organization and its CACs with important information and updates via a weekly call and newsletter.

CAC Online Application for Designation as a CAC Organization in a FFM

There are five parts to the FFM online application:

1. Basic Information
2. Marketplace Contact
3. General Public Contact
4. Organization Details

Please be sure to identify all languages that are spoken by your staff.

5. Privacy and Security Experience

The application includes three questions to see if your organization already:

- Screen staff and volunteers it will certify as CACs as application counselors
- Handle Personally Identifiable Information (PII) and have processes in place to PROTECT PII
- Assist people with health coverage decisions

Marketplace Contacts and CAC Service Locations

- The “Marketplace contact” information is what CMS will use to contact the CAC organization. If possible, please provide multiple points of contact.
- The “public contact” or service location(s) included on your application are the locations that will be displayed to the public on Find Local Help. You should provide all of the locations that your organization will use to provide CAC services to the public.

CMS Application Review

CMS Application Review

CMS staff will review your organization's application to make sure the following criteria are met:

- The organization serves (or intends to serve) consumers in a FFM or SPM state
- It has prior experience providing social services to the community
- It engages in services that position the organization to help those it serves with health coverage issues
- It has processes in place to screen its staff members and volunteers who are certified as CACs to make sure they protect consumer PII

Application Notification

It generally takes about one week or less before your organization's Marketplace contact will receive notification on the status of the application:

- If its application has been approved, the organization will receive an email notification that will include a Welcome Packet link
- If its application has been disapproved, the organization will receive an email notification with an explanation

Welcome Packet Email and Other Notifications

The Welcome Packet will include the following documents, as well as instructions and next steps for becoming a CAC designated organization:

- Your organization's Designation ID
- A CMS-CDO Agreement - an authorized representative of the organization must sign and return this agreement to CMS
- A Model Agreement that the CDO may use when entering into an agreement with the individual staff and volunteers it will certify as CACs
- Instructions on Creating and Assigning IDs to the organization's individual CACs
- Instructions for Accessing FFM CAC Training
- Model CAC Certificate
- Model Consumer Authorization Form
- Model Recertification Form

NOTE: Even if its application has been approved, an organization does not become formally designated as a Certified Application Counselor organization until it has returned the signed and completed CMS-CDO Agreement to CMS and CMS has sent official notification that the organization has been designated.

CMS-Certified Application Counselor (CAC) Designated Organization's Agreement (CMS-CDO Agreement) and CDO-CAC Agreement in FFM

In order to complete the process to become a CAC designated Organization in a FFM, the CMS-CDO Agreement must be signed and returned to CMS via the CACQuestions@cms.hhs.gov mailbox.

CMS and CDO Agreement

- Within a week after CMS receives the signed agreement from the organization, CMS will send the organization a set of CMS countersignatures, along with a notification that the organization has been designated.
- The CMS-CDO agreement automatically renews each year; however, CMS may amend the agreement based on changes in applicable law or new program requirements.
- CMS has amended the CMS-CDO Agreement for the 2015-2016 plan year. All current CDOs have been asked to notify CMS if they reject the amendments to the CMS-CDO Agreement.

CDO and CAC Agreement

- The CAC designated organization must enter into a written agreement with each individual staff member or volunteer it will certify as a CAC. These agreements must include specific requirements to be met by the CAC.
- As part of the Welcome Packet, CMS has included a model agreement that a CAC designated organization may use when entering into individual agreements with the staff and volunteers it will certify as CACs.

Individual CAC Training in FFM

The primary goal of the FFM CAC training is to prepare individual CACs to assist consumers with learning about the basics of health coverage, identifying and comparing the options for coverage through the Marketplace and/or insurance affordability programs (such as Medicaid or CHIP), and helping consumers make informed decisions when choosing health coverage that best fits their budget and specific needs.

Six training modules must be successfully completed in order to become certified or recertified as a CAC in a FFM for 2015 - 2016.

- Training Overview
- Marketplace Eligibility and Application Assistance
- Marketplace Affordability and Assistance Programs
- Marketplace Enrollment and Appeals Assistance
- Marketplace Exemptions Assistance
- Privacy, Security, and Fraud Prevention Standards

Please keep in mind that individual CACs must refer consumers to a Navigator or the Marketplace Call Center if an consumer issue is beyond their scope.

Individual CAC Training in FFM, Cont.

When taking the training keep in mind:

- The training courses are designed to be taken in a specific order.
- Each course should be completed before beginning the next one.
- CACs must complete all required courses and successfully pass all course exams with a score of at least 80%.
- The training is web-based and self-directed.
- The training can be completed all at once, or taken a few hours a day.
- The required training will take approximately 5-10 hours to complete.

Note: CACs have the option of taking the more extensive FFM Navigator training, which includes all of the CAC training modules. The FFM Navigator training takes approximately 20 – 25 hours to complete.

CAC Certification in FFM

Certificates

There are two types of certificates that individual CACs in the FFM receive. The first certificate, the training certificate, is issued by CMS when the CAC has successfully completed the CAC training for the FFM. The second type of certificate is issued to a CAC by the CAC designated organization (CDO) when it certifies the CAC.

Training Completion Certificate

- Prior to becoming certified, individuals who have completed the CAC online training should present their training certificates to their CAC organization to demonstrate that they have successfully completed the training.

CAC Certificate

- Individual CACs must be certified prior to providing application and enrollment assistance to consumers.
- When this certificate is issued, it should be signed by a person from the CAC designated organization who has the authority to certify individuals as CACs.
- The CAC's certificate should be displayed to a consumer when they are being assisted.

CAC Certification in FFM, Cont.

Prior to becoming certified as a CAC in a FFM, you must:

- Successfully complete FFM-approved CAC training, pass required training exams, and provide your organization with your training completion certificate
- Disclose potential conflicts of interest to your CDO
- Meet any applicable state requirements, so long as they do not prevent the application of the provisions of title 1 of the Affordable Care Act
- Enter into an agreement with your CDO promising compliance with FFM CAC program requirements, including privacy and security standards

Note: You will be certified by your CDO only after you have met all certification requirements.

CAC Recertification in FFM

The CDO must recertify its CACs on at least an annual basis after they successfully complete recertification training.

CAC Recertification in FFMs

- Prior to recertification, the CDO must ensure that the CAC has successfully completed recertification training. A CAC should provide their training completion certificate to their CDO as proof that s/he successfully completed the 2016 CAC training.
- CACs must take the full CAC training to be recertified.
- The CDO should Issue a new certificate to the CAC reflecting the recertification date, with an expiration date that is one year from the date of issuance.
- If necessary, the CDO and CAC should enter into a new agreement.
- CACs must meet all other applicable requirements, including state licensing requirements and any specific requirements of the CDO.

Note: CMS recommends that Individual CACs complete the CAC training prior to the beginning of the Open Enrollment Period, even if this is earlier than the expiration date of their certification. This will ensure that they have received the most up-to-date training to provide application and enrollment assistance to consumers.

Find Local Help

Find Local Help is a publicly-accessible online search tool that lists the FFM contact information for various assisters, including CACs.

- This tool is used by consumers (and other assisters) to find FFM application and enrollment assistance in their area.
- CMS will use the information you provided on your organization's application to create its Find Local Help listing(s) for your organization.
 - Your application should list all of the locations where your organization will provide CAC services.
- The organization's publicly listed location(s) will be displayed only after an organization has returned its signed agreement to CMS and has been formally designated.



The screenshot shows a search interface for 'Find Local Help'. At the top, the title 'Find Local Help' is displayed in a large, dark font. Below the title, a subtitle reads 'Get personal help applying for health coverage...'. A prompt asks the user to 'Enter City and State or Zip Code (Example: "Austin, TX" or "33109")'. Below this prompt is a text input field with the placeholder text 'Enter City and State or Zip Code'. To the right of the input field is a green button with the text 'Find Help' in white.

Find Local Help, Cont.

- To request changes to the information on Find Local Help, click on the [Request Corrections](#) link on the Find Local Help webpage.
- CMS-CDO Agreement includes the requirement that your organization provide CMS with timely and appropriate updates and corrections to ensure the accuracy of its publicly available information on Find Local Help. It also includes the requirement that in the event your organization has stopped or will stop providing CAC services, it must request that its information be removed from public display on Find Local Help; and must also provide a notice of termination to CMS, within specific timeframes.

Note: Find Local Help can be found at <https://localhelp.healthcare.gov/>. Please keep in mind that Find Local Help only contains information about assisters in states with a FFM (including states with a SPM) – Organizations in states with a SBM should contact the SBM or go to the SBM’s website for information about the CAC program in that state.

PII and Consumer Authorization in a FFM

What is PII and the consumer authorization requirement?

Personally Identifiable Information (PII) is information which 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 a specific individual.

Pursuant to 45 CFR 155.260(B), CMS establishes privacy and security standards for CAC organizations in the FFM through the CMS-CDO Agreement. The CAC designated organization's agreements with its individual CACs must also bind each CAC to the same privacy and security requirements; the model agreement between the CDO and CACs that is included in the welcome packet does so.

Consumer Authorization

Each consumer's authorization must be obtained prior to a CAC gaining access to their PII. CACs must also inform each consumer they assist of the functions and responsibilities of CACs.

To help CACs meet these requirements, CMS has included in the Welcome Packet a model consumer authorization form in both English and Spanish versions. The model authorization form provides that the consumer is giving consent for the disclosure of his or her PII for the purpose of allowing the CAC to perform the specific duties of a CAC in assisting the consumer.

Also keep in mind:

- Consumers may choose to have a legal or Authorized Representative provide authorization on their behalf.
- While written authorization is not required, we recommend that, to the extent possible, CACs obtain written authorization as a best practice. If a consumer's authorization is given verbally, a record of the authorization will need to be created
- A record of each authorization must be retained by the CDO or individual CAC either electronically or in hardcopy format for at least six years, unless a different and longer retention period has already been provided under other applicable Federal law.

Tips

CAC Training

- Make sure your staff and volunteers take all required FFM CAC training before you certify them to assist consumers.

CAC Certification

- After your organization has been formally designated, certify your staff and volunteers before they assist consumers.
- Make sure staff and volunteers who will be certified have met applicable state requirements.

CAC Program Requirements

- Review all federal regulations and guidance that apply to CAC program activities, including 45 CFR §§155.120(c), 155.206, and 155.225.

Consumer Authorization

- Obtain Consumer Authorization prior to assisting each consumer and maintain a record of the authorization.

Ongoing Training

- Attend CMS-hosted webinars and read weekly CMS assister newsletters.

Resources

CAC Questions

- CACQuestions@cms.hhs.gov

Find Local Help

- <https://localhelp.healthcare.gov/>

Assistance with Training

- MLMSHelpDesk@cms.hhs.gov

CAC Program Information

- <http://marketplace.cms.gov/technical-assistance-resources/assister-programs/cac.html>

Weekly Assister Call and Weekly Newsletter

- AssisterListserv@cms.hhs.gov

Online CAC Application for the FFM

- <http://marketplace.cms.gov/technical-assistance-resources/assister-programs/cac-apply.html>

Federal regulations governing the CAC program

- <http://www.gpo.gov/fdsys/pkg/FR-2013-07-17/pdf/2013-17125.pdf>
- <http://www.gpo.gov/fdsys/pkg/FR-2014-05-27/pdf/2014-11657.pdf>

Technical Assistance Resources

- <http://marketplace.cms.gov/technical-assistance-resources/technical-assistance-resources.html>