

The Broker Bulletin

Community Health Choice Broker Newsletter – Your Partnership Resource



COMPLIANCE & FWA AWARENESS FOR BROKERS IN HEALTH INSURANCE MARKETPLACE (HIM) WHY COMPLIANCE MATTERS

As a Broker, you play a critical role in connecting individuals and families to affordable coverage through the Health Insurance Marketplace (HIM). With this responsibility comes the need to protect against fraud, waste, and abuse (FWA). Not only can FWA harm Members, but it can also damage your reputation and result in legal consequences.

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Compliance & FWA Awareness for Brokers in Health Insurance Marketplace (HIM)



Why Compliance Matters

As a Broker, you play a critical role in connecting individuals and families to affordable coverage through the Health Insurance Marketplace (HIM). With this responsibility comes the need to protect against fraud, waste, and abuse (FWA). Not only can FWA harm Members, but it can also damage your reputation and result in legal consequences.

Common Compliance Pitfalls

- Incorrect Enrollments – enrolling Members in plans without their consent or misrepresenting plan details.
- Improper Data Use – sharing or misusing a client's personal health or financial information.
- Failure to Stay Updated – not completing mandatory compliance training or missing regulatory changes.
- Misleading Marketing – exaggerating plan benefits, leaving out important costs, or using unapproved materials.

How to Avoid Them

1. Complete Annual Training – CMS requires Brokers to complete compliance training every year to stay current on policy changes.
2. Verify Eligibility Honestly – never falsify income, household size, or citizenship details to qualify someone for a plan.

3. Document Interactions – keep records of conversations and signed client consent.
4. Use Approved Materials – only use official and CMS-approved and Community Health Choice marketing resources.
5. Protect PHI (Protected Health Information) – follow HIPAA standards when handling sensitive client data.

RESOURCES FOR BROKERS

- **CMS Marketplace Compliance Resources:**
<https://marketplace.cms.gov>
- **CMS Fraud Prevention Toolkit:**
<https://www.cms.gov/training-education/partner-outreach-resources/partner-with-cms/fraud-prevention-toolkit>

Compliance & FWA Awareness for Brokers in DSNP (Dual Special Needs Plans)



Why DSNP Compliance is Critical

Dual Special Needs Plans (DSNPs) serve some of the most vulnerable individuals, those who qualify for both Medicare and Medicaid. Because of this, regulators closely monitor DSNP enrollments. As a Broker, ensuring compliance helps protect Members and builds trust with health plans.

Common Compliance Pitfalls

- Unverified Eligibility – enrolling Members without confirming dual eligibility (Medicare & Medicaid).
- High-Pressure Sales Tactics – pushing plans without explaining alternatives or all available benefits.
- Incomplete Disclosures – not fully explaining costs, networks, or plan limitations.
- Improper Marketing Settings – discussing DSNPs at prohibited locations like waiting rooms or pharmacies.
- Lack of Documentation – failing to capture Scope of Appointment (SOA) forms before discussing plan details.

How to Avoid Them

1. Verify Medicaid & Medicare Status – confirm eligibility through state systems and Medicare databases before enrolling.

2. Always Obtain SOA Forms – required before any plan discussion. Keep them in file.
3. Market Responsibly – follow CMS marketing guidelines; avoid unapproved flyers or conducting meetings in prohibited areas.
4. Educate, Don't Pressure – focus on helping clients understand their choices, not pushing sales.
5. Stay Current on Training – complete annual CMS and plan-specific compliance training.

RESOURCES FOR BROKERS

- **Medicare Marketing Guidelines (MMG):**
<https://www.cms.gov/medicare/health-drug-plans/managed-care-marketing/medicare-guidelines>
- **CMS Fraud Prevention Toolkit:**
<https://www.cms.gov/training-education/partner-outreach-resources/partner-with-cms/fraud-prevention-toolkit>

COMMON COMPLIANCE PITFALLS AND HOW TO AVOID THEM



Why This Matters

Brokers working in both the Health Insurance Marketplace (HIM) and Dual Special Needs Plans (DSNP) must remain vigilant about compliance. CMS and health plan partners hold Brokers accountable for following strict guidelines. Missteps not only risk fines or loss of license but can also harm Members.

Common Pitfalls Seen in Both HIM and DSNP

- Incomplete or Missing Documentation – failing to capture required forms (such as SOA for DSNP or consent for HIM).
- Misleading Marketing Practices – exaggerating benefits or failing to provide accurate cost comparisons.
- Improper Eligibility Verification – enrolling individuals without confirming their income, Medicare, or Medicaid status.
- Failure to Follow Communication Rules – contacting clients outside approved methods, times, or without permission.
- Data Privacy Violations – mishandling or sharing personal health information without authorization.
- Not Completing CMS Training – skipping annual compliance or plan-specific training requirements.

How Brokers Can Stay Compliant

1. Always Complete Required CMS and Plan Training on Time.
2. Use Only CMS-Approved and Community Health Choice Approved Marketing Materials.
3. Keep Documentation Organized (SOA forms, consent records, eligibility verification).
4. Protect Client Information – follow HIPAA guidelines and company policies.
5. Focus on Education, Not Sales Pressure – ensure clients understand their choices.
6. Stay Updated – review CMS memos and your company's compliance communications regularly.

HELPFUL RESOURCES

- **CMS Compliance Training:**

<https://www.cms.gov/training-education/learn/get-training/compliance-training-education-outreach>

- **Medicare Marketing Guidelines:**

<https://www.cms.gov/Medicare/Health-Plans/ManagedCareMarketing>



TOOLS & RESOURCES

Streamline your workflow with the Broker portal!

Access to helpful



tools



forms



marketing materials



the latest resources

in one convenient location.

The portal provides everything you need to support your clients—



enrollment materials

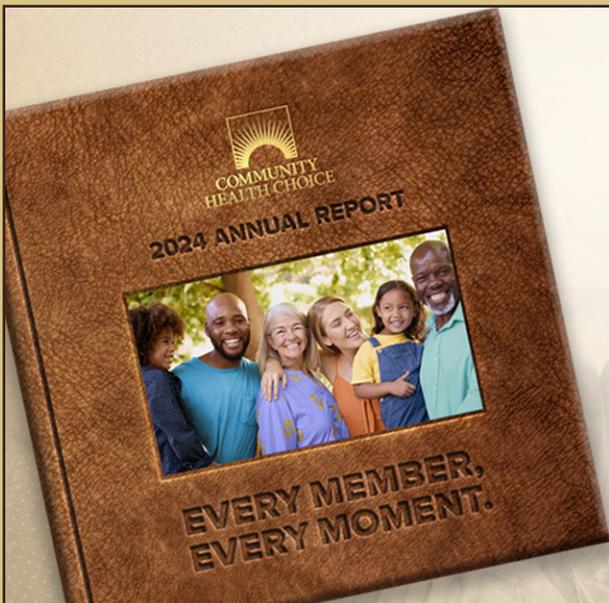


plan information



essential documents

Log in regularly for updates and new features.



Every Member, Every Moment.



SCAN
THE CODE
OR CLICK
TO VIEW
ANNUAL
REPORT