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## **Prepared Testimony**

Senate Banking & Insurance Committee

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Good morning Chairman White, Chairman Stack, and members of this committee. My name is Laura Line and I am the Corporate Assistant Director for Healthcare at Resources for Human Development (RHD). As Corporate Assistant Director I, with the help of my team, oversee all of RHD's healthcare work, including the Health Insurance Navigator Program and our network of federally qualified health center sites. I am also a navigator certified by the Centers for Medicare & Medicaid Services (CMS). I appreciate the opportunity to speak to you today about Senator Eichelberger's Senate Bill 1268.

RHD is one of four entities in Pennsylvania to provide outreach and in-person enrollment assistance with health insurance under a U.S. Department of Health and Human Services cooperative agreement. For 43 years, RHD has been operating human service programs, specializing in providing quality care to individuals who are marginalized and considered difficult to reach. RHD is a national nonprofit organization providing recovery-oriented residential, outpatient, crisis intervention, shelter and other innovative services for people living with mental illness, substance abuse disorders, and intellectual disabilities. For the past 23 years, RHD has assured access to healthcare services through its multi-site federally-qualified health center network.

### **RHD's Navigator Program Overview**

Utilizing our broad base of stakeholders and programs, and collaboration with partners with extensive networks, RHD received funding to target specific groups and individuals who traditionally have poor access to healthcare insurance coverage, while sharing enrollment information as widely as possible. We selected the ten counties in Pennsylvania with the highest number of uninsured people. These counties are home to 53% of the state's uninsured, totaling 661,515 individuals. The 10 counties are Philadelphia, Allegheny, Bucks, Chester, Delaware and Montgomery, Lancaster, York, Berks and Lehigh. Four of these counties have large Latino populations: Berks, 16.8%; Lehigh, 19.5%; Philadelphia, 12.6% and; Lancaster 8.9%. In these counties, we have built strong relationships with consumers, family members, other stakeholders and organizations through the services we provide there. Since receiving funding, we have expanded to serve several other counties where there is a high level of need, including Beaver and Butler counties.

The structure of our program is to have four regional offices: Southeastern PA, Western PA, Greater Reading\Lehigh and Lancaster\York area. RHD's Navigator Program office oversees all four regions and runs the Southeastern PA five-county regional office. In each of the other three areas, RHD is working with a collaborating partner who has extensive expertise and knowledge of the locality as well as experience in assisting individuals in accessing healthcare services and coverage. RHD has partnered with three nonprofit organizations to provide services in each of these three regions. Our Western PA regional office is located in Pittsburgh with the Allegheny Intermediate Unit, our Greater Reading/Lehigh office is located in Reading with Berks Encore, and our Lancaster\York area office is in Lancaster with Project Access Lancaster County. Each

of our regional offices has Spanish-speaking staff members. Each region has a team leader overseeing multiple navigators; the team leader in each region reports to RHD's Program Director, overseeing all four offices via weekly check-ins, data collection, approval of deliverables and fiscal oversight.

With our regional partners, we maintain close oversight of the certification and training of navigators, as well as the provision of services.

RHD provides technical assistance to all of our navigators, whether in our regional or local offices. This includes trainings provided by the Pennsylvania Health Law Project and other content experts, site visits and weekly participation in phone calls facilitated by CMS for the enrollment assisters across the country. RHD also provides regular updates on information via an RHD navigator listserv, and hosts phone and videoconferencing to facilitate learning and problem solving of issues across Pennsylvania. Staff is also given time to attend off-site trainings provided, including trainings by the Health Federation. Staff members in all of our offices undergo a standardized orientation that includes state-specific information, such as details about Medical Assistance and appropriate referrals, and one-on-one trainings with the team leader and RHD staff. Each region has a local resource guide to assist in directing consumers to additional supports. All of our navigators additionally have access to "on call" technical assistance through RHD staff members who are certified navigators knowledgeable about related issues, and who have access to legal and federal support to answer difficult questions.

RHD also operates a statewide hotline number that answers questions consumers have about their health insurance applications and connects them with other resources, including navigators and enrollment assistants in their areas.

In addition to our navigators, our program utilizes a staff member acting as a liaison between the Pennsylvania Navigator agencies and the Department of Insurance to coordinate on common Marketplace issues and consumer outreach/education efforts. Additionally we have partnered with Pennsylvania Health Law Project to provide legal consultation on complicated consumer issues.

As of mid-March, we had reached over 21,000 consumers to provide education regarding their health insurance options under the Affordable Care Act. Our program has conducted over 600 outreach events across the state, fielded thousands of phone calls via our statewide hotline, and enrolled thousands of consumers in affordable healthcare insurance.

### **Navigator Training and Ongoing Professional Development**

RHD currently has thirty five staff members trained as navigators who have completed the mandatory training and certification process through CMS. CMS requires a twenty hour training of all navigators and the successful completion of an examination. This process is similar to the certification process used by CMS for the Medicare enrollment assistance program

in Pennsylvania known as APPRISE. The certification includes training related to consumer protection, privacy standards, and conflicts of interest. Upon completion of the training, CMS certifies navigators, which includes the issuing of a certificate and a thirteen digit unique identification number. Information about each navigator is registered and tracked by CMS.

Our navigators are full-time salaried and part-time paid hourly based on the number of hours they work including travel, paperwork, time with consumers. We do not set enrollment targets for each navigator.

RHD, as part of our cooperative agreement, maintains strict protection of consumer's personal information. Consumers read and agree to an informed consent before any personal information is collected from them. There are also extensive requirements as to the collection and storage of personal information, as established in accordance with Section 1411(g) of the Affordable Care Act. RHD does not store any personal information from consumers beyond the consent form. All of our navigator program staff has completed an FBI clearance, a criminal background check, and a Medicaid exclusion search. We believe that this background check process is thorough and comprehensive. All consent forms are kept in a locked file cabinet that can only be accessed by the Fiscal coordinator and the Program Director. In addition our navigators wear RHD-issued badges with photos and carry certificates from CMS, identifying them as certified navigators.

As part of the CMS certification process, each of our navigators must sign a form stating they do not have any conflicts of interest, and they also must have each consumer complete a consent form that outlines that navigators are a) providing fair and unbiased information b) not collecting any personal information from them and c) how to contact the Pennsylvania Department of Insurance in the event that there are any complaints.

### **Concerns Regarding SB 1268**

CMS requires a lengthy and thorough certification process for navigators. Adding an additional, state-based certification process will not provide any additional protection to consumers, but it will create added administrative and bureaucratic burden for navigator programs. It will also create confusion as there are several points in the proposed legislation that are in direct conflict with CMS guidance as follows:

- First, Section 3 (b)(5) on page 6 states that navigators may receive funds from an insurance carrier that offers a qualified health plan (QHP). This is in conflict with the more stringent CMS requirements that navigators not be currently receiving funds from any insurance companies offering a QHP. Further, if a navigator has received funds from them in the prior five years, they must disclose that information to every consumer they meet with.
- Second, Section 4 (c)(4) on page 7 states that navigators are not able to provide information or services related to any health insurance plans or products not offered in

the marketplace. The CMS navigator program specifically requires navigators to discuss all options available to consumers, including Medicaid, the Children's Health Insurance Program and Medicare, and to assist them with these options when appropriate. Navigators are also charged with making referrals to other appropriate consumer assistance programs, including pharmaceutical assistance programs such as the Pharmaceutical Assistance Contract for the Elderly (PACE) program and the Special Pharmaceutical Benefits Program (SPBP).

- Finally, Section 3 (d) on page 5 states that it is a conflict of interest for any healthcare entities to serve as a navigator. The Health Resources and Services Administration (HRSA) has been providing funding directly to federally qualified health centers and other healthcare entities to provide enrollment assistance. Additionally, CMS has funded healthcare entities directly to provide navigator support. Healthcare entities have direct access to uninsured individuals who are in need of enrollment assistance to access health insurance. Our agency has a staff that has been assisting consumers with access to health insurance for more than 20 years and are well-equipped to continue providing this service.

SB 1268 provides an extra, duplicative certification process for navigators in the state of Pennsylvania. This certification process is also in conflict with currently-existing, more stringent standards required by CMS's certification process. This would also prevent navigators from performing important duties of connecting consumers with all insurance and healthcare assistance programs available to them. RHD cannot support SB 1268.

Thank you for the opportunity to discuss how we are providing in-person enrollment assistance via our Health Insurance Navigator Program.