



AMERICAN ACADEMY OF
FAMILY PHYSICIANS
STRONG MEDICINE FOR AMERICA

May 6, 2013

Marilyn Tavenner, Acting Administrator
Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-9955-P
P.O. Box 8010
Baltimore, MD 21244-81850

Re: Exchange Functions: Standards for Navigators and Non-Navigator Assistance Personnel

Dear Administrator Tavenner:

On behalf of the American Academy of Family Physicians (AAFP), which represents more than 110,600 family physicians and medical students nationwide, I write in response to the Exchange Functions: Standards for Navigators and Non-Navigator Assistance Personnel [proposed regulation](#) released by the Centers for Medicare & Medicaid Services (CMS) in the April 5, 2013 *Federal Register*.

Navigator and non-Navigator assistance personnel programs, established by the *Affordable Care Act* (ACA), will impact thousands of consumers and new patients as they gain insurance and access to health care, and we support the efforts of CMS to develop comprehensive consumer assistance programs.

The proposed rule pertains to implementing training requirements and conflict-of-interest standards for Navigators and non-Navigator assistance personnel in states with federally-facilitated health insurance marketplaces and partnership health insurance marketplaces as required by the *Affordable Care Act*. Navigators and non-Navigator assistance personnel will provide critical information to consumers about health insurance, the marketplace, qualified health plans (QHPs), and insurance affordability in a fair and impartial manner. It is the AAFP's position on [health education](#) that patients and members of the public who are educated about health and health care are better equipped to prevent disease and to play an important part in managing their own health care; therefore, the AAFP supports the implementation of health insurance marketplaces and appreciates the important role that Navigators and non-Navigator assistance personnel will play in consumer education and outreach.

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In the proposed rule, all Navigators and non-Navigator assistance personnel are required to receive 30 hours of comprehensive training in 15 different subject areas to obtain initial certification, and additional continuing education must be completed annually to maintain certification. Certification and recertification are crucial components of successful consumer outreach and education. However, the AAFP is concerned that the proposed rule does not specify any time or subject matter requirements for the recertification process.

The AAFP's policy is to promote [cultural proficiency](#) and to address specific health issues as they relate to diverse populations. Accordingly, the AAFP encourages CMS to require certification and recertification curricula that update Navigators and non-Navigator assistance personnel on key topics, including current information on the racial, ethnic, and cultural groups in their service area as well as provide detailed information on access to primary care, rates of uninsurance, and prevalence of chronic health conditions locally.

Family physicians build strong relationships in the communities in which they serve, and the AAFP is hopeful that Navigators and non-Navigator assistance personnel will receive training that further supports expanding access to primary care in their service area. The AAFP encourages CMS to provide more detailed guidance in the final rule on the relationship between physicians and consumer assistance personnel so that all patients will have access to appropriate, affordable, high quality health care.

Monitoring, reporting, enforcement, and evaluation are essential components of a successful consumer assistance program. The AAFP is concerned that these important tasks will become unnecessarily complicated if enforcement is inconsistent across federally-facilitated, partnership, and state-based marketplaces. We advocate that CMS require knowledge-based certification and recertification examinations with minimum score requirements as a way to ensure that Navigators and non-Navigator assistance personnel receive consistent training and education prior to conducting any consumer assistance. The AAFP also recommends that CMS establish a comprehensive evaluation and monitoring program that solicits feedback from consumers, physicians, insurers, and other stakeholders to determine whether Navigators and non-Navigator assistance personnel are serving consumers most effectively and efficiently. Finally, the AAFP encourages CMS to develop consistent enforcement protocol for all insurance marketplaces.

We appreciate the opportunity to provide these comments and make ourselves available for any questions you might have or clarifications you might need. Please contact Robert Bennett, Federal Regulatory Manager, at 202-232-9033 or rbennett@aafp.org

Sincerely,

A handwritten signature in black ink that reads "Glen Stream MD". The signature is written in a cursive, slightly slanted style.

Glen Stream, MD, MBI, FAAFP
Board Chair