



Michigan Consumers
for Healthcare

House of Representatives June 4, 2013

Committee on Health Policy

Testimony on HB4576

Good morning Chairperson Haines and the distinguished members of the committee. Thank you for allowing me testify today before this committee regarding HB 4576. My name is Brett Williams and I am the Mid Michigan Regional Coordinator for Michigan Consumers for Healthcare.

Michigan Consumers for Healthcare, the state's largest consumer advocacy organization working towards ensuring the people of Michigan have access to quality and affordable healthcare, currently, has over 200 member organizations representing several million Michigan's citizens.

We applaud the willingness of this Legislature to host conversations that try to ensure the consumers of Michigan who will be in purchasing health insurance products through the Federal Marketplace (Exchange) are guided through this process with highly trained personnel.

Michigan Consumers for Healthcare firmly believes in creating an avenue in which consumers will be able to be guided through the newly formed Federal Facilitated Marketplace and purchase quality and affordable healthcare insurance. We also wish to acknowledge that the substitute legislation introduced in the Senate is a greatly improved version over the original SB324 introduced last May. Due to the cooperation and hard work of the Michigan Legislature, MCH has shifted from a position of opposition to that of being neutral. We believe with further modifications or clarifications, this would be a piece of legislation that we could fully support.

One of the critical areas that need to be addressed is the requirement for consent of the applicant to be subjected to state and federal back ground checks by fingerprinting identification. Understanding the roles Navigators will be playing in an exchange is critical. Navigators **will not** be representing, selling, advising people to purchase or steer people to any insurance products offered in the Marketplace. Further, federal law prohibits navigators to be compensated by any insurer. It is important to note that neither Navigators nor agents/brokers will be making determinations on eligibility or directly enrolling customers into a Qualified Health Plan (QHP). The Exchange will determine eligibility and transfer information to QHP's to enable enrollment. The requirement that perspective Navigators not only submit to high level scrutiny but mandate that they are also obligated to absorb the cost of this investigation is cumbersome and unnecessary.

Navigators are being funded with very limited resources through a grant process. Many populations that will be served by Navigators are not traditionally served by agents or brokers.

Adding additional cost to these organizations could potentially preclude many of them from becoming actively involved in the navigation process; limiting enrollment in hard to reach rural populations.

People serving as Navigators will either be hired by private entities, participate through Community Based Organizations (CBO's) or act as an individual. Under almost every avenue for employment in the private sector, it is up to the employer, not the state, to determine the level of background checks they wish to administer to their potential employees. Navigators are no different. By stipulating this level of scrutiny would be an unprecedented governmental overreach into the private sector workforce. A closely related example would be Michigan Medicare/Medicaid Assistance Program (MMAP) councilors. These volunteers have gone through thorough background checks and pre-screening prior to their service as councilors. However, the level of screening is placed within the employer, not the state government through legislation. This method of screening is consistent throughout the state and subject to all regional MAPP centers, is extremely successful and is currently in use today.

In order to ensure that the citizens of Michigan have an unparalleled experience in the Federal Exchange, a standardized set of training requirements must be met. We support the provision within this substitute that will enable a federally trained navigator to serve in this state. HHS has issued final rulings that stipulate these requirements as well as establishing stringent conflict of interest requirements for all persons and entities acting as Navigators within the Marketplace. Being that Michigan will fall within the confinements of a Federally Facilitated Exchange, we feel that the standards for training will not only be sufficient but will prevent undue barriers for those entities wishing to participate as Navigators.

The certifications and requirements established within the federal guidelines, warrants against misconduct, exemplifies education and provides the resources for an unmatched Marketplace experience for this state. This is the goal of consumers as well as legislators alike. Creating additional cost of state regulated fees for certification and background checks may create additional barriers for those organizations wishing to participate as Navigators.

We support regulations that would ensure strong consumer protections and expedite a positive experience in the Federal Exchange. Michigan Consumers for Healthcare looks forward to working with Michigan lawmakers to find common ground in ensuring consumers in Michigan have strong protections as outlined in federal statutes and state officials know they are looking out for their constituent's best interest by not creating hurdles to acquiring quality and affordable health insurance through the Exchange.