

## **Guidance for Navigators**

On June 19, 2015, Governor Wolf signed Act 7 into law. Act 7 is also known as the Navigator and Exchange Assister Accessibility and Regulation Act. This Act requires the registration of all Navigators and Exchange Assistors. The Act also requires a searchable list of all Navigators and Exchange Assistors to be available on the Pennsylvania Insurance Departments website. Below is information to assist Navigators and Exchange Assistors to understand the new Act.

### **Who is required to register?**

Any individual or organization who provides public education or assists consumers for or on behalf of an exchange. This does not include licensed insurance producers. This also does not include individuals employed to provide insurance enrollment or coverage assistance by a "health care facility."

### **What is a Health Care Facility?**

A "health care facility" is any health care facility providing clinically related health services, including, but not limited to, a general or special hospital, including psychiatric hospitals, rehabilitation hospitals, ambulatory surgical facilities, long-term care nursing facilities, cancer treatment centers using radiation therapy on an ambulatory basis and inpatient drug and alcohol treatment facilities, both profit and nonprofit and including those operated by an agency or State or local government. The term shall also include a hospice. The term shall not include an office used primarily for the private or group practice by health care practitioners where no reviewable clinically related health service is offered, a facility providing treatment solely on the basis of prayer or spiritual means in accordance with the tenets of any church or religious denomination or a facility conducted by a religious organization for the purpose of providing health care services exclusively to clergy or other persons in a religious profession who are members of the religious denominations conducting the facility.

If you are a health center that has Navigator/Exchanges Assistors you need to decide: What is my health center doing and how is it licensed? If you are providing public education or assisting consumers for or on behalf of the exchange, you should register. If you are a Navigator/Exchange Assister or health center, if in doubt, register.

### **What is the term of the registration?**

The term of the registration is two years from the date of issue

### **What does it take to be a Navigator or Exchange Assister?**

Be at least 18 years or age

Reside in the Commonwealth or maintain a registered place of business in the Commonwealth

Has not had a license as an insurance producer denied, suspended or revoked

Has not committed an act that would be grounds for denial, suspension or revocation of an insurance producer.

Has submitted a completed application

Has submitted fingerprints for the department to receive national criminal history records information from the Criminal Justice Information Services Division of the Federal Bureau of Investigation

Has paid the required registration fee and fees for obtaining national criminal history records information as prescribed by the department

### **Things you can do as a Navigator or Exchange Assister**

Refer an individual to an insurance provider

Provide information or services related to the health benefit plans or other products other than those offered in the health insurance marketplace, SHOP exchange, the Children's Health Insurance Program or product available through the Social Security Act

Fairly provide information about the health benefit plan or other product in accordance with Federal Law or regulation

### **Things you cannot do as a Navigator or Exchange Assister**

May not engage in activity for which licensure as a producer is required, except as permitted by Federal Law or regulation, including any of the following:

- Sell, solicit, or negotiate insurance

- Urge or advise a prospective purchaser to buy a particular policy or to insure with a particular company

- Initiate sales over the telephone or otherwise

- Collect premiums

- Make or propose to make an insurance contract

- Recommend or initiate additions or deletions to an insured's policy

- Sign binders, endorsements and insurance policies

- Issue or deliver certificates of insurance, endorsements, binders or insurance policies on insurance identification cards

Cannot be an individual employed to provide insurance enrollment or coverage assistance by a health care facility

### **When does the new registration process start/end?**

December 15<sup>th</sup>, 2015 is the new registration process start date

Effective February 15<sup>th</sup> all Navigators and exchange assisters must be registered.

If registration is not complete by January 31<sup>st</sup> the Insurance Department cannot guarantee meeting registering by February 15<sup>th</sup>.

**What do I need to provide to the Pennsylvania Insurance Department when registering?**

A completed registration application will be required. For the most efficient application method, we recommend applying online at [www.sircon.com/pennsylvania](http://www.sircon.com/pennsylvania). If unable to apply online, a paper application can be obtained from the Department's website at [www.insurance.pa.gov/licensees](http://www.insurance.pa.gov/licensees). Upon application submission, you will be required to provide documents that confirm you are approved by CMS to operate as a Navigator or Exchange Assister.

**What are the fees?**

Navigator or exchange assister registration application fee:	\$1.00
Fingerprinting processing fee:	\$27.75
	(\$12.75 FBI Fee and \$15 PA State Police Fee)
Live Scan fingerprinting service fee (charged by PSI):	\$15.00
Sircon application service fees (if applying electronically):	\$5.00

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**Total:** **\$48.75**