

California Code of Regulations

Title 10. Investment

Chapter 12. California Health Benefit Exchange (§ 6650 et seq.)

Article 9. Plan-Based Enrollers

California Code of Regulations

§ 6704. Program Application

[(a)(1)-(7): No change]

(b) A PBEE application shall contain the following information

[(b)(1)-(6): No change]

~~(7) Fax number;~~

~~(7)(8) Federal Employment Identification Number;~~

~~(8)(9) State Tax Identification Number;~~

~~(10) Identification of the counties served;~~

~~(9)(11) For the primary site and each sub-site, the following information:~~

[(b)(9)(A)-(G): No change]

~~(H) An indication of whether the entity wants to receive referrals for individuals—
seeking assistance at this site;~~

~~(H)(I) An indication of whether Whether the entity provides in-person assistance
at this site; and~~

~~(I)(J) Hours of operation;~~

~~(K) Spoken languages; and~~

~~(L) Written languages;~~

~~(10)(12) Name, e-mail address, primary and secondary phone number for the Authorized
Contact;~~

~~(11)(13) A certification by the Authorized Contact, or his or her designee, that the PBEE
has presented information in the application that is true and correct to the best of his or
her knowledge; and~~

~~(12)~~(14) For each Certified PBE to be affiliated with the applicant entity, a completed application for each individual as required in subdivision (d) below must be included in the entity's application.

...

(d) An individual's application to become a PBE shall contain the following information

[(d)(1)-(3): No change]

~~(4)~~ Identification of the PBEE with which the applicant is affiliated;

~~(5)~~ Affiliated PBEE's primary site location address;

~~(6)~~ Site(s) to be served by the applicant;

~~(7)~~ Mailing Address of the primary site of the PBEE for which the applicant will serve;

~~(4)~~ ~~(8)~~ Languages that the applicant can speak An indication of the languages that the applicant can speak;

~~(5)~~ ~~(9)~~ Languages that the applicant can write An indication of the languages that the applicant can speak;

~~(6)~~(10) For Issuer Application Assisters, as defined in 45 CFR § 155.20: Disclosure of all criminal convictions and administrative actions taken against the applicant, and any arrests for which the applicant is currently out on bail or his or her own recognizance;

~~(7)~~(11) A certification by the applicant that:

(A) The applicant shall comply with the PBE Program requirements of this Article and Section 6500(f) of Article 5 of this chapter;

(B) The applicant is a natural person of not less than 18 years of age;

(C) The statements made in the application are true, correct and complete to the best of his or her knowledge and belief; and

(D) The applicant will adhere to any applicable State and federal laws and regulations;

~~(8)~~(12) The signature of the applicant applying to become a PBE and date signed;

~~(9)~~(13) The name and signature of the Authorized Contact, or that of his or her designee, and date signed;

~~(10)~~(14) An indication of whether the applicant is licensed in good standing as an agent with the California Department of Insurance, and if so, the applicant's license number; and

~~(11)~~(15) An indication of whether the applicant is certified by the Exchange as a Certified Insurance Agent, Certified Enrollment Counselor, Certified Application Counselor, or serves in any other enrollment function of the Exchange including Service Center Representative and County Eligibility Worker, and, if applicable, the certification number.

§ 6708. Certified Plan-Based Enroller Fingerprinting and Criminal Record Checks

[(a)-(c)(4): No change]

(c) Appeal and Final Determination:

(5) Following the receipt of a final determination pursuant to this section that an individual is disqualified from certification, the individual shall not reapply for certification for two years.

§ 6710. Roles and Responsibilities.

(a) A PBE shall perform the following functions:

[(a)(1)-(6): No change]

(7) Inform all applicants of the availability of other QHP products or stand-alone dental plans offered through the Exchange through an HHS-approved universal disclaimer and display the Web link to access the Exchange Web Site on the PBEE's Web Site, and describe how to access the Exchange Web Site or the Service Center of the Exchange. The PBE can refer an applicant to any individual or entity certified through Articles 8, 11, 12 of this chapter, or to any Agents certified by the Exchange.

[(b)(1)-(h): No change]

(i) Prohibited Activities for PBEEs and PBEs.

(1) All PBEEs and their Contractors and Employees that are PBEs may not:

[(i)(1)(A)-(Q): No change]

(R) Employ, be employed by, be in partnership with, or receive any remuneration arising out of the functions performed under this Article, from any individual or entity

certified through Article 8 or Article 11 of this chapter or from any Agents certified by the Exchange.

Note: Authority cited: Section 100504, Government Code. Reference: Section 100503, Government Code; and 45 Code of Federal Regulations, Sections 155.205(d), 155.415, 156.265 and 156.1230.