

113TH CONGRESS
2^D SESSION

H. R. 3362

IN THE SENATE OF THE UNITED STATES

JANUARY 27, 2014

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

To amend the Patient Protection and Affordable Care Act
to require transparency in the operation of American
Health Benefit Exchanges.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Exchange Information
3 Disclosure Act”.

4 **SEC. 2. WEEKLY REPORTS ON HEALTH BENEFIT EX-**
5 **CHANGES.**

6 Section 1311(c)(5) of the Patient Protection and Af-
7 fordable Care Act (42 U.S.C. 18031(c)(5)) is amended—

8 (1) in subparagraph (A), by striking “and” at
9 the end;

10 (2) in subparagraph (B), by striking the period
11 and inserting a semicolon; and

12 (3) by inserting after subparagraph (B) the fol-
13 lowing:

14 “(C) not later than the first Monday after
15 the date of enactment of this subparagraph,
16 and each Monday thereafter through March 30,
17 2015 (or the next business day when Monday
18 occurs on a Federal holiday), in coordination
19 with the Secretary of the Treasury and the Sec-
20 retary of Labor, submit to Congress and make
21 available to State governors, State insurance
22 commissioners, and the public, a report con-
23 cerning consumer interactions with the Internet
24 website maintained by the Federal Government
25 for health insurance coverage (healthcare.gov or
26 any subsequent Internet site (or sites) that is

1 established in whole or in part by the Federal
2 Government to facilitate enrollment in qualified
3 health plans, the receipt of advance premium
4 tax credits or cost sharing reduction assistance,
5 or comparisons of available qualified health
6 plans) and any efforts undertaken to remedy
7 problems that impact taxpayers and consumers,
8 such report to include—

9 “(i) a State-by-State break down of—

10 “(I) the number of unique
11 website visits;

12 “(II) the number of web chat
13 logins;

14 “(III) the number of individuals
15 who create an account;

16 “(IV) the number of individuals
17 who have selected a qualified health
18 plan;

19 “(V) the number of individuals
20 who enrolled in Medicaid, and, of such
21 number, the number who became eli-
22 gible to enroll because of changes in
23 eligibility effected under this Act and
24 the number who otherwise were eligi-
25 ble to enroll;

1 “(VI) the number of individuals
2 who have effectuated enrollment in a
3 qualified health plan through payment
4 of the first monthly premium;

5 “(VII) the age of individuals who
6 have effectuated enrollment in a quali-
7 fied health plan through payment of
8 the first monthly premium;

9 “(VIII) the number of enrollees
10 in each zip code; and

11 “(IX) the level of coverage ob-
12 tained;

13 “(ii) a detailed description of the
14 problems identified with website
15 functionality, the actions that have been
16 taken to resolve those problems, the iden-
17 tity of the contractors that are involved in
18 such actions, the cost of such actions, how
19 such actions are being paid for, and the
20 names of the Federal officials responsible
21 for overseeing the process; and

22 “(iii) a description of the separate
23 problems with the website, including prob-
24 lems relating to—

25 “(I) logging into the website;

1 “(II) enrolling in coverage;

2 “(III) transferring to the State
3 Medicaid programs;

4 “(IV) the calculation of advance
5 premium tax credits or cost sharing
6 reductions;

7 “(V) eligibility for qualified
8 health plans, advance premium tax
9 credits, cost sharing reductions, Med-
10 icaid, or the Children’s Health Insur-
11 ance Program;

12 “(VI) income or identity
13 verification;

14 “(VII) the transfer of informa-
15 tion to health insurance issuers; and

16 “(VIII) consumer privacy and
17 data security; and

18 “(D) not later than the first Monday after
19 the date of enactment of this subparagraph,
20 and each Monday thereafter through March 30,
21 2015 (or the next business day when Monday
22 occurs on a Federal holiday), in coordination
23 with the Secretary of the Treasury and the Sec-
24 retary of Labor, submit to Congress and make
25 available to State governors, State insurance

1 commissioners, and the public, a report con-
2 cerning the Federally operated customer service
3 call center, including the number of calls re-
4 ceived by the call center, the Internet website or
5 enrollment problems identified by users, how
6 many calls are referred to the Centers for Con-
7 sumer Information and Insurance Oversight,
8 how many calls are referred to State insurance
9 commissioners, and how many callers enrolled
10 in a qualified health plan through the call cen-
11 ter.”.

12 **SEC. 3. DISCLOSURE OF NAVIGATOR AND CERTIFIED AP-**
13 **PLICATION COUNSELOR GRANTEES.**

14 Section 1311(i) of the Patient Protection and Afford-
15 able Care Act (42 U.S.C. 18031(i)) is amended by adding
16 at the end the following:

17 “(7) PUBLIC AVAILABILITY OF LIST OF NAVIGA-
18 TORS.—Not later than 5 days after the date of en-
19 actment of the Exchange Information Disclosure
20 Act, the Secretary shall make available to Congress,
21 State attorneys general, State insurance commis-
22 sioners, and the public a list of all navigators and
23 certified application counselors that have been
24 trained and certified by Exchanges, including con-
25 tact information for all navigator entities and their

1 partner organizations, including subcontractors.
2 Such list shall be updated by the Secretary on a
3 weekly basis through March 31, 2015.”.

4 **SEC. 4. DISCLOSURE OF CERTIFIED AGENTS AND BROKERS.**

5 Section 1312(e) of the Patient Protection and Afford-
6 able Care Act (42 U.S.C. 18032(e)) is amended by adding
7 at the end the following flush sentence: “Not later than
8 5 days after the date of the enactment of the Exchange
9 Information Disclosure Act, the Secretary shall make
10 available on the Internet website maintained by the Fed-
11 eral Government for health insurance coverage
12 (healthcare.gov or any subsequent Internet site (or sites)
13 that is established in whole or in part by the Federal Gov-
14 ernment to facilitate enrollment in qualified health plans,
15 the receipt of tax credits or cost sharing reduction assist-
16 ance, or comparisons of available qualified health plans)
17 a list of all agents and brokers who have been trained and
18 certified by the Federal Exchange, including their name,
19 business address (if available), and phone number. Such

1 list shall be updated on a weekly basis through March 31,
2 2015.”.

Passed the House of Representatives January 16,
2014.

Attest:

KAREN L. HAAS,

Clerk.