

113TH CONGRESS
1ST SESSION

S. 1590

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

IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 2013

Mr. ALEXANDER introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Exchange Information
5 Disclosure Act”.

6 **SEC. 2. WEEKLY REPORTS ON HEALTH BENEFIT EX-**
7 **CHANGES.**

8 Section 1311(c)(5) of the Patient Protection and Af-
9 fordable Care Act (42 U.S.C. 13031(c)(5)) is amended—

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

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

5 (3) by adding at the end the following:

6 “(C) not later than the first Monday after
7 the date of enactment of this subparagraph,
8 and each Monday thereafter through March 31,
9 2015 (or the next business day when Monday
10 occurs on a Federal holiday), in coordination
11 with the Secretary of the Treasury and the Sec-
12 retary of Labor, submit to Congress and make
13 available to State governors, State insurance
14 commissioners, and the public, a report con-
15 cerning consumer interactions with the Internet
16 website maintained by the Federal Government
17 for health insurance coverage (healthcare.gov or
18 any subsequent Internet site (or sites) that is
19 established in whole or in part by the Federal
20 Government to facilitate enrollment in qualified
21 health plans, the receipt of advance premium
22 tax credits or cost sharing reduction assistance,
23 or comparisons of available qualified health
24 plans) and any efforts undertaken to remedy

1 problems that impact taxpayers and consumers,
2 such report to include—

3 “(i) a State-by-State breakdown of—

4 “(I) the number of unique
5 website visits;

6 “(II) the number of web chat
7 logins;

8 “(III) the number of individuals
9 who create an account;

10 “(IV) the number of individuals
11 who enrolled in a qualified health plan
12 or Medicaid;

13 “(V) the number of enrollees in
14 each zip code; and

15 “(VI) the level of coverage ob-
16 tained;

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

1 “(iii) a description of the separate
2 problems with the website, including prob-
3 lems relating to—

4 “(I) logging into the website;

5 “(II) enrolling in coverage;

6 “(III) transferring to the State
7 Medicaid programs;

8 “(IV) the calculation of advance
9 premium tax credits or cost sharing
10 reductions;

11 “(V) eligibility for qualified
12 health plans, advance premium tax
13 credits, cost sharing reductions, Med-
14 icaid, or the Children’s Health Insur-
15 ance Program;

16 “(VI) income or identity
17 verification;

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

20 “(VIII) consumer privacy and
21 data security; and

22 “(D) not later than the first Monday after
23 the date of enactment of this Act, and each
24 Monday thereafter through March 31, 2015 (or
25 the next business day when Monday occurs on

1 a Federal holiday), in coordination with the
2 Secretary of the Treasury and the Secretary of
3 Labor, submit to Congress and make available
4 to State governors, State insurance commis-
5 sioners, and the public, a report concerning the
6 federally operated customer service call center,
7 including the number of calls received by the
8 call center, the Internet website or enrollment
9 problems identified by users, how many calls
10 are referred to the Centers for Consumer Infor-
11 mation and Insurance Oversight, how many
12 calls are referred to State insurance commis-
13 sioners, and how many callers enrolled in a
14 qualified health plan through the call center.”.

15 **SEC. 3. DISCLOSURE OF NAVIGATOR AND CERTIFIED AP-**
16 **PLICATION COUNSELOR GRANTEES.**

17 Section 1311(i) of the Patient Protection and Afford-
18 able Care Act (42 U.S.C. 13031(c)) is amended by adding
19 at the end the following:

20 “(7) PUBLIC AVAILABILITY OF LIST OF NAVIGA-
21 TORS.—Not later than 5 days after the date of en-
22 actment of the Exchange Information Disclosure
23 Act, the Secretary shall make available to Congress,
24 State attorneys general, State insurance commis-
25 sioners, and the public a list of all navigators and

1 certified application counselors that have been
2 trained and certified by Exchanges, including con-
3 tact information for all navigator entities and their
4 partner organizations, including subcontractors.
5 Such list shall be updated by the Secretary on a
6 weekly basis through March 31, 2015.”.

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

8 Section 1312(e) of the Patient Protection and Afford-
9 able Care Act (42 U.S.C. 18032(e)) is amended by adding
10 at the end the following flush sentence: “Not later than
11 5 days after the date of the enactment of the Exchange
12 Information Disclosure Act, the Secretary shall make
13 available on the Internet website maintained by the Fed-
14 eral Government for health insurance coverage
15 (healthcare.gov or any subsequent Internet site (or sites)
16 that is established in whole or in part by the Federal Gov-
17 ernment to facilitate enrollment in qualified health plans,
18 the receipt of tax credits or cost sharing reduction assist-
19 ance, or comparisons of available qualified health plans)
20 a list of all agents and brokers who have been trained and
21 certified by the Federal Exchange, including their name,
22 business address (if available), and phone number. Such
23 list shall be updated on a weekly basis through March 31,
24 2015.”.

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