FRED UPTON, MICHIGAN
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HENRY A. WAXMAN, CALIFORNIA
RANKING MEMBER

ONE HUNDRED THIRTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6115
Majority (202) 225–2927
Minority (202) 225–3641

August 29, 2013

Wendy M. Sykes
Acting Director
City of Orange Township
Department of Community Services
29 North Day Street- 3rd Floor
Orange, NJ 07050

Dear Ms. Sykes:

Pursuant to Rules X and XI of the United States House of Representatives, the Committee on Energy and Commerce is examining the role Navigators will play in efforts to enroll individuals in health insurance exchanges under the Patient Protection and Affordable Care Act (PPACA).

On August 15, 2013, the Centers for Medicare and Medicaid Services (CMS) awarded $67 million in Navigator Cooperative Agreements to entities that will assist consumers in preparing electronic and paper applications to establish eligibility and enroll in coverage through the PPACA marketplaces. Your organization was identified as a recipient of a Navigator grant by the Center for Consumer Information and Insurance Oversight (CCIIO).[1]

In order to better understand the work you will perform as a Navigator and the consumer protections that will be in place before open enrollment begins on October 1, 2013, we ask that you contact Committee staff to schedule a briefing to occur no later than September 13, 2013, to discuss your participation as a Navigator in the health insurance exchanges. We also ask that you provide written answers to the following questions and produce the materials requested no later than September 13, 2013:

1. Provide a written description of the work that will be performed with the funds obtained via your Navigator grant. This would include a description of the number of employees, volunteers, or representatives that will be utilized and the pay and duties for each, as well as a written description of how any other portion of the grant may be spent. If a budget or detailed description of how this funding will be utilized exists or will be created, provide these documents in addition to the written response requested.

[1] http://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/Downloads/navigator-list-8-15-2013.pdf

2. Provide a written description of the training or education employees, volunteers, or representatives must complete, including training or education required by the Department of Health and Human Services (HHS), CMS, CCIIO, or any other federal or state entity. Provide a written description of any training or educational efforts employees, volunteers, or representatives must complete that are required by your organization beyond that required by any federal or state entity. Provide copies of these materials.

3. Provide a written description of the processes and procedures in place to monitor, review, or otherwise supervise your employees, volunteers, or representatives. If documentation of these standards exists or will be created, provide these documents in addition to the written response requested.

4. Provide a written description of how your organization will utilize the information obtained during performance of your Navigator grant. This would include, but is not limited to, descriptions of the measures your organization will take to safeguard an individual's personal and medical information. Furthermore, provide a written description of whether your organization may use any of the information obtained during performance of your Navigator grant, including any prohibitions on the use of that information. For example, please provide a written description of whether your organization may contact individuals who have utilized your services as a Navigator for the purposes of fundraising, voter registration efforts, campaign activities, or any other reason.

5. Provide a written description of whether your organization has been contacted by any health insurance company or health care provider to discuss your Navigator grant. This would include, but is not limited to, discussions of supporting your organization in any way or promoting the health insurance company or health care provider to individuals your organization may contact.

6. Provide all documentation and communications related to your Navigator grant. This would include, but is not limited to, materials your organization submitted in order to obtain the grant, materials provided to your organization upon obtaining the grant, and communications between your organization and representatives from HHS, CMS, CCIIO or any other federal or state entity. This request also includes, but is not limited to, any documents provided by (or communications with), representatives from HHS, CMS, CCIIO, Enroll America, or any other entity including federal or state governments discussing individuals to target or solicit for enrollment under the PPACA, including discussions or documents related to geographic area.

Instructions for responding to the Committee's document request are included as an attachment to this letter. Thank you for your prompt attention to this matter. If you have questions or wish to discuss your responses or production, please contact Karen Christian or Sean Hayes with Committee Staff at (202) 225-2927.

Sincerely,

Fred Upton
Chairman

Joe Barton
Chairman Emeritus

Tim Murphy
Chairman
Subcommittee on Oversight and Investigations

Joseph R. Pitts
Chairman
Subcommittee on Health

Marsha Blackburn
Vice Chairman

Michael C. Burgess
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Phil Gingrey
Member

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Member

Gregg Harper
Member

Pete Olson
Member

Cory Gardner
Member

Morgan Griffith
Member

Bill Johnson
Member

Billy Long
Member

Renee Ellmers
Member

cc: The Honorable Henry Waxman, Ranking Member

The Honorable Diana DeGette, Ranking Member
Subcommittee on Oversight and Investigations