



American Online Benefits Group

Compliance Guidelines:

Obtaining Consumer
Consent and Enrollment
Procedures



Compliance Guidelines: Obtaining Consumer Consent and Enrollment Procedures

Introduction

Consumer consent is essential in the enrollment process. This document outlines comprehensive steps for agents to maintain compliance with enrollment policies. These policies and procedures will go into effect from 07/08/2024.

By following these detailed guidelines, agents can ensure compliance, protect consumer rights, and maintain transparency throughout the enrollment process.

1. Consumer Consent Documentation

- **Purpose:** Ensure consumers provide explicit consent before enrollment.
- **Steps:**
 1. **Initial Consent:**
 - **Explain Purpose:** Clearly communicate the purpose of consent to consumers.
 - **Rights and Responsibilities:** Explain consumer rights and responsibilities during the enrollment process.
 - **Obtain Consent:** Obtain explicit consent from consumers before proceeding.
 2. **Review and Validation:**
 - **Accuracy Check:** Confirm that consumers review and validate the accuracy of their eligibility application information.
 - **Address Discrepancies:** Promptly address any discrepancies or errors identified.
 3. **Document Consent:**
 - **Record Details:** Create a detailed record of the consent process, including:
 - Date and time of consent.
 - Agent's name and ID.
 - Consumer's confirmation.
 - **Retention:** Store consent records securely for a minimum of 10 years.

2. Corrective Action

- **Purpose:** Address non-compliance effectively.
- **Action:**
 - **Identify Issues:** Regularly review consent records for compliance.
 - **Non-Compliance Handling:**
 - If consent is missing or incomplete, take corrective action promptly.
 - Follow agency internal procedures for addressing non-compliance.
 - Document corrective measures taken.

3. Updated Enrollment Policies and Procedures

- **Purpose:** Ensure clarity and consistency.
- **Guidelines for Agents:**
 - **Consent Process:**
 - **Initial Interaction:**
 - Obtain consent at the beginning of the enrollment interaction.
 - Use clear and simple language to explain the consent process.
 - **Plan Changes or Updates:**
 - **Whenever a plan changes or update occurs:**
 - Obtain updated consent.
 - Document the change and the consumer's confirmation.
 - **Record Keeping:**
 - Maintain accurate records of all consent interactions.
 - Ensure records are accessible and organized.

4. Training Resources

- **References:**
 - **Refer agents to CMS resources:**
 - “Marketplace Compliance: 2024 Payment Notice Updates”
 - “FAQ: 2024 Payment Notice Requirements”
 - Encourage agents to stay informed about regulatory changes.