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GEORGIA
ACCESS

**Georgia Access State-based Exchange (SBE)
Certified Application Counselor Designated
Organization (CDO) Application for Plan
Year 2024**

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Applications Due: July 7, 2023

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Section 1: Overview & Background

1.1 Georgia Access State-based Exchange

On February 1, 2023, Senate Bill 65 was introduced in the Georgia Legislature granting the Office of Commissioner of Insurance and Safety Fire (OCI) authority to establish and operate a State-based Exchange (SBE) in accordance with [45 CFR § 155](#). Governor Brian Kemp submitted a Letter of Intent to the Centers for Medicare & Medicaid Services (CMS) on February 13, 2023, indicating the State's intention to transition its Health Insurance Marketplace from the Federally-facilitated Exchange (FFE) to the Georgia Access State-based Exchange (SBE) for plan year (PY) 2024. Senate Bill 65 was signed into law by Governor Kemp on May 2, 2023. The planned go-live for the SBE is November 1, 2023, for Open Enrollment (OE) 2024.

Georgia Access is designed to meet the needs of Georgia residents by increasing access to affordable, quality, health insurance coverage across the State. The SBE will replicate the federal Exchange model with multiple enrollment options for consumers, including: a state consumer portal, working with certified Agents, directly through insurance companies, and through web-brokers certified as Georgia Access Enrollment Partners.

As Georgia launches its SBE, community organizations will be vital to reaching underserved and uninsured populations across the State. Georgia is operating a Navigator Program and a Certified Application Counselor (CAC) Program to partner with local organizations to achieve the shared goal of ensuring all Georgians have access to health insurance coverage.

1.2 Georgia Access CAC Program

Georgia Access is operating a CAC Program in accordance with [45 CFR § 155.225](#). Georgia's approach for its CAC Program is based on the CMS model. Organizations must apply for and be approved to operate a CAC Program. Once approved, organizations are designated as Certified Application Counselor Designated Organizations (CDOs). CDOs are responsible for overseeing affiliated CACs and providing quarterly reports to the State.

1.3 CDO Participation Period for PY 2024

The PY 2024 participation period for CDOs is 12 months, beginning August 2023 and ending August 2024.

Section 2: Certified Application Counselors

2.1 CAC Roles & Requirements

CACs are individuals who are certified and licensed by the State to support consumers with applying for coverage on Georgia Access. CACs are required to be affiliated with a CDO, either

Section 2: Certified Application Counselors

as employees or volunteers. CACs must maintain strict privacy and security standards while assisting consumers.

CACs are expected to perform the following activities:

- Providing unbiased support for consumers by remaining free of prohibited conflicts of interest
- Educating consumers on basic healthcare concepts, coverage options, and available financial assistance on Georgia Access
- Supporting consumers with applying on Georgia Access
- Supporting consumers in understanding their eligibility results and next steps
- Providing consumers with language interpretation support, when available
- Providing consumers with accessibility support, when available
- Referring consumers to the Georgia Access Contact Center, as appropriate
- Helping consumers find certified Agents, as appropriate
- Providing information on how to apply for Medicaid and PeachCare for Kids[®], as appropriate

CACs are prohibited from performing the following activities:

- Recommending specific health insurance plans for consumers
- Enrolling a consumer into a health insurance plan
- Providing gifts to a consumer to incentivize enrollment
- Imposing fees for providing consumer support and assistance
- Requesting or receiving compensation from consumers or third parties for assistance
- Requesting or receiving compensation from insurance companies
- Requesting or receiving compensation from Agents for consumer referrals
- Acting as an intermediary between an employer and health insurance company
- Calling consumers to offer assistance without the consumer initiating first contact
- Using an automatic telephone dialing system or an artificial or prerecorded voice
- Soliciting any consumer for an application or enrollment assistance by going door-to-door or through unsolicited means of direct contact
- Providing gifts of any value to an applicant or potential enrollee as an inducement for enrollment

CACs are not required but are allowed to perform the following activities:

- Holding outreach activities or events
- Helping consumers with appeal and exemption requests

2.2 CAC Licensure & Certification

All individuals carrying out CAC functions must obtain a Georgia Access Specialist Licensure and Georgia Access Certification before assisting consumers. CACs can begin the Georgia Access Specialist Licensure process at any point, but they must obtain Georgia Access Certification before completing the licensure process.

Georgia Access Specialist Licensure

Individual CACs must obtain Georgia Access Specialist Licensure in Sircon (the State's licensing system). The licensure must be renewed annually.

CACs must follow the process below to obtain the licensure:

1. Provide a residential address in Georgia
2. Complete and submit the Licensure application in Sircon, which includes the following components:
 - a. Complete the 10 hours of pre-licensing Georgia Access Specialist training
 - b. Achieve a passing score of 70% on Georgia Access Specialist pre-licensing examination (number of attempts follows OCI policy)
 - c. Complete the [Citizenship Affidavit](#)
 - d. Submit electronic fingerprints to facilitate a background check
 - e. Provide proof of affiliated CDO
 - f. Provide proof of completion of the Georgia Access Certification, as described below (i.e., Georgia Access Certificate).
 - g. Pay the \$55 licensing fee

Note, Georgia Access Specialist Licensure requirements are the same as Navigator License requirements. See the [OCI website](#) to learn more about Navigator Requirements. Individuals may apply for Georgia Access Specialist Licensure starting in August 2023.

Georgia Access Certification

Individual CACs must complete the online Georgia Access training course and exam (approximately 1-2 hours). The training course is intended to ensure that CACs have an appropriate understanding of Georgia Access and key information to support consumers. CACs are required to take the training annually. Upon passing the exam, individuals receive a Georgia Access Certificate.

Section 3: Counselor Designated Organizations

CACs must attest within the exam to the following:

- All provided information is accurate
- They adhere to the Georgia Access CAC Policies (including privacy & security)
- They do not have a prohibited conflict of interest

CACs who pass the exam are provided a printable PDF certificate and instructed to obtain a Georgia Access Specialist Licensure to participate in Georgia Access.

2.3 CAC-Provided Consumer Support

CACs are required to assist any consumer seeking assistance, even if that consumer is not a member of the communities or groups the applicant expects to target, as outlined in the CDO Application. If a CAC does not have the capacity or the knowledge to help an individual, the CAC must connect the individual with assistance in a timely manner. Potential resources and the type of assistance they could provide to the individual include the following:

- Georgia Access Contact Center for questions about the application and enrollment
- Certified Agents for assistance selecting an appropriate plan
- Navigators for assistance with appeals and exemptions
- Application completion on the consumer's behalf (if consent form is signed)
- Georgia Gateway to directly apply for Medicaid or PeachCare for Kids[®]
- Tax advisors or the Internal Revenue Service (IRS) for assistance regarding tax credits

Section 3: Counselor Designated Organizations

3.1 The Role of a CDO

CDOs retain the primary responsibility of overseeing CAC activities and ensuring individual CACs meet program requirements. CDOs are expected to share information and marketing materials about Georgia Access with the public to increase awareness of health insurance options available through Georgia Access.

CDOs must:

- Comply with all applicable federal and state laws
- Ensure SBE requirements for CACs and CDOs are upheld
- Provide required data and reports on a quarterly basis to the State
- Comply with all requests from the SBE for additional information

Section 3: Counselor Designated Organizations

Any CDO that fails to meet these standards can have their agreement terminated.

3.2 Eligible & Ineligible Organizations

Eligible applicants include private and public entities capable of carrying out duties and program requirements as outlined in statutes, regulations, and this CDO Application. To be eligible, an organization must have a physical location or business address in Georgia.

Eligible organizations in Georgia include, but are not limited to:

- Nonprofit organizations that have a 501(c)(3) status with the IRS
- Local government agencies and special districts
- Education organizations
- Public housing organizations
- City or county governments
- Native American tribal governments or organizations
- Independent school districts
- Institutions of higher education
- Public housing authorities
- Small, medium, or large for-profit businesses
- Community and consumer-focused groups
- Trade, industry, and professional associations
- Commercial fishing industry organizations
- Ranching and farming organizations
- Chambers of commerce
- Unions
- Resource partners of the Small Business Administration (SBA)
- Hospitals and health centers
- Health care provider groups
- Libraries

Section 3: Counselor Designated Organizations

Ineligible organizations include entities that receive direct or indirect consideration from a health insurance issuer or stop loss issuer in connection with the enrollment of an individual into a qualified health plan (QHP) or non-QHP, in accordance with [45 CFR § 155.225](#).

Ineligible organizations include:

- Health insurance issuers or their subsidiaries
- Issuers of stop loss insurance and their subsidiaries
- Associations that include members of, or lobby on behalf of, the insurance industry
- Insurance Agents, insurance agencies, or recipients of any direct or indirect consideration from any insurance issuer in connection with the enrollment in a health or dental plan
- Other organizations determined by the State to have a conflict of interest in providing objective consumer assistance

3.3 CDO Requirements

CDO applicants must be capable of carrying out all CDO duties required by the Affordable Care Act (ACA), federal regulations, and the State, including but not limited to the following duties:

- Enter into a signed agreement with each CAC in which CACs agree to follow all federal and state regulations including privacy and security standards and non-conflict of interest requirements.
- Provide a proof of affiliation document that CACs submit to Georgia Access prior to receiving Georgia Access Specialist Licensure
- Verify that CACs are providing adequate application assistance without charging consumers or making assistance conditional on any other relationship or purchase
- Maintain a roster of all CACs operating in their organization
- Ensure that all CACs complete Georgia Access Certification Training and maintain Georgia Access Specialist Licensure
- Establish processes for collecting metrics for consumers served and provide quarterly reports to the State
- Enforce privacy and security requirements
- Screen potential CAC for prohibited conflicts of interest
- Disseminate Georgia Access materials, updates, or other information to CACs as needed
- Provide relevant Georgia Access information to consumers

Section 3: Counselor Designated Organizations

3.4 CDO Prohibitions

In accordance with federal regulations [45 CFR § 155.210](#) and [45 CFR § 155.215](#), Georgia Access CDOs are prohibited from the following activities:

- Imposing charges or fees on consumers for application or other assistance, including receiving referral fees from certified Agents
- Receiving any consideration directly or indirectly from any health insurance issuer or issuer of stop loss insurance in connection with the enrollment of any individuals in a QHP or a non-QHP
- Providing gifts of any value to an applicant or potential enrollee as an inducement for enrollment
- Soliciting any consumer for an application or enrollment assistance by going door-to-door or through unsolicited means of direct contact
- Calling a consumer to provide assistance without the consumer initiating the contact unless the individual has a pre-existing relationship with the individual
- Initiating any telephone call to a consumer using an automatic telephone dialing system or an artificial or prerecorded voice, except in cases where the individual has a relationship with the consumer
- Directly enrolling or assisting a consumer applicant to enroll onto a health plan

3.5 Conflicts of Interest

Recipients must comply with the prohibited conflicts of interest as defined under [45 CFR § 155.215\(a\)\(2\)](#) and [45 CFR § 155.255](#).

3.6 Intellectual Property

CDOs must comply with federal and state intangible property and copyright laws. The CDO may copyright any work that is subject to copyright and was developed, or for which ownership was acquired. The State of Georgia reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for Georgia Access purposes, and to authorize others to do so. The CDO is subject to applicable regulations governing patents and inventions.

3.7 Privacy & Security of Consumer Personally Identifiable Information (PII)

Protecting consumer information is of the highest importance and applicants should demonstrate the ability to ensure that consumer data is protected. Applicants must document in their CDO Application they have practices in place to protect the privacy and security of consumers' PII as outlined in [45 CFR § 155.260](#).

Section 4: Application Instructions

3.8 Non-Discrimination

CDOs must administer their programs in compliance with federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, disability, age and, in some circumstances, religion, conscience, and sex. This includes ensuring programs are accessible to persons with limited English proficiency.

CDOs must comply with all applicable federal and state statutes relating to non-discrimination, including, but not limited to:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- The Age Discrimination Act of 1975
- Title II, Subtitle A of the Americans with Disabilities Act of 1990
- Section 1557 of the Affordable Care Act
- Title IX of the Education Amendments of 1972
- Applicable federal religious nondiscrimination laws (<https://www.hhs.gov/conscience/religious-freedom/index.html>)
- Applicable federal conscience protection and associated anti-discrimination laws (<https://www.hhs.gov/conscience/conscience-protections/index.html>)

3.9 Ongoing Reporting

CDOs must cooperate with the State's efforts to evaluate the program. CDOs must provide the required quarterly reports to the State and additional information and reports as necessary to evaluate the program.

The quarterly reports may include the following:

- An updated list of affiliated CACs
- Information regarding the performance of affiliated CACs and the type of consumer assistance provided
- Data regarding the number of consumers who have received application assistance

Section 4: Application Instructions

4.1 Submission

- All CDO Applications must be submitted via email to GeorgiaAccessCDOs@deloitte.com by **5:00 PM Eastern Time on July 7, 2023**, in order

Section 4: Application Instructions

to participate as a CDO during Open Enrollment 2024. Applications received after the deadline will not be considered for participation for PY 2024.

- The application (*Cover Letter and Form A - CDO Application*) should be completed and submitted as a single PDF document.
- To be considered complete and eligible for review, applicants must complete all sections of the application in their entirety. Applications determined to be ineligible or incomplete may be eliminated from further review.
- If applicants use assistive technology and are unable to access materials on the website, including the form contained within the CDO Application package, they may email GeorgiaAccessCDOs@deloitte.com or call OCI at (404) 463-0240 for support.
- The State reserves the right to contact applicants for additional information if needed.

4.2 Questions

Applicants may submit questions about the CDO Application to GeorgiaAccessCDOs@deloitte.com by **5:00 PM Eastern Time on June 16, 2023**. The State will post a list of questions and answers by June 30, 2023.

4.3 Applicants

Applications may be submitted from a single organization. Organizations are permitted to apply only once per plan year. Organizations may apply to participate as both a Georgia Access Navigator Grantee and a CDO.

4.4 Application Components

Applicants must provide the following information in the order prescribed below for their submission to be considered complete.

1. Cover Letter (maximum 2 pages)
2. Form A – CDO Application, which includes:
 - a. Applicant Information
 - b. Project Abstract (maximum 1 page)
 - c. Project Site
 - d. Attestations & Signature

Section 5: Application Details

5.1 Cover Letter

Applicants must submit a cover letter on organization letterhead that includes the information below.

- Name of Applicant Organization
- Type of organization, including:
 - Indication of whether the applicant is an eligible public or private entity, and the type of entity (e.g., provider, community or consumer-focused nonprofit, or any other entity that meets the requirements outlined in [45 CFR § 155.225](#))
 - Indication of which organization(s) will perform the activities under this CDO Agreement

5.2 Form A - CDO Application

The Application Form includes four sections.

5.2.1 Applicant Information

Applicants must provide basic information about their organization including legal name, employer identification number (EIN), address, point of contact, and authorized organizational representative. Applicants must also provide information on the organization's privacy and security standards to secure PII. This section contains questions to screen applicants on obligations imposed by federal and state regulations regarding privacy and security standards.

5.2.2 Project Abstract

Applicants must provide a one-page project abstract. An abstract is a succinct description of the proposed project. It must clearly include:

- Goals of the project
- Service area and target populations or groups that will be served

Applicants should write a clear, accurate, and concise abstract, without reference to other parts of the CDO Application. The abstract should not include any sensitive information.

5.2.3 Project Site

Applicants must list all project site locations included under the CDO Application in this section. Applicants must provide a primary location and may include any additional site locations. Applicants may copy the Additional Project Location table as many times as needed to list all site locations.

Section 5: Application Details

5.2.4 Attestations & Signature

The Authorized Organizational Representative (AOR) must complete all information related to OCI reporting, conflict of interest disclosures, mandatory disclosures, and assurances. This section must be signed by the AOR for the CDO Application to be complete. This section contains all obligations imposed by federal and state regulations and other terms and conditions of the CDO Program, including all assurances. Digital signatures are acceptable.

A. OCI Reporting

CDOs are required to report performance data on individual CACs to OCI. This section contains assurances that applicants will comply with all obligations to share data and information about its affiliated CACs.

B. Conflict of Interest Disclosure

The Conflict of Interest Disclosure must be completed by the AOR for the CDO Application to be complete. This section contains a form for applicants to disclose any conflicts of interest and agree to reporting any future conflicts of interest if they arise.

C. Mandatory Disclosure

The Mandatory Disclosure must be completed by the AOR for the CDO Application to be complete. This section contains a form for applicants to disclose any violations of state or federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the State's decision to approve CDO status.

D. Assurances

The assurances must be completed by the AOR for the CDO Application to be complete. This section contains all obligations imposed by federal and state regulations and other terms and conditions of the CDO Program, including all assurances.