

SENATE BILL REPORT

SB 6474

As of February 4, 2014

Title: An act relating to the furnishing of background check information by navigator applicants.

Brief Description: Requiring navigator applicants to furnish background check information.

Sponsors: Senator Rivers.

Brief History:

Committee Activity: Health Care: 2/03/14.

SENATE COMMITTEE ON HEALTH CARE

Staff: Mich'l Needham (786-7442)

Background: The federal Affordable Care Act established navigators to help consumers purchase coverage through the Health Benefit Exchanges. Navigators must: conduct public education activities; distribute impartial information on the qualified health plans; facilitate enrollment; provide referrals for any enrollee with a grievance or complaint; and provide information that is culturally and linguistically appropriate. Under federal law, navigators may not receive any consideration from insurance carriers for the enrollment of individuals. Under state law, navigators are not soliciting or negotiating insurance under the insurance laws governing agents and producers.

The Washington Health Benefit Exchange developed requirements for navigators, including training requirements and a requirement for a background check through the Washington State Patrol. Licensed insurance agents or producers submit fingerprints for a background check.

Summary of Bill: The application to become a navigator must include background information including fingerprints submitted to the Washington State Patrol, the Federal Bureau of Investigation, and any governmental agency authorized to receive the information for a state and national criminal history background check.

Appropriation: None.

Fiscal Note: Requested on January 30, 2014.

[OFM requested ten-year cost projection pursuant to I-960.]

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: I first heard concerns raised last summer listening to a congressional hearing where a congress member raised a question about navigators potentially having access to personal information. It is important to sort out potential bad actors and keep them from getting personal information. Agents and brokers are licensed by the Office of Insurance Commissioner and held to a professional standard with background checks and fingerprinting, and we feel that is an appropriate standard to apply in this structure.

CON: We have a long history serving low-income clients and helping them find care, and we have continued that tradition with navigators across the state. They provide essential outreach to low-income populations and help them understand a lot of confusing information about their health plan options. We provide a background check for the navigators now that is the same as the background check completed by all the others that we hand off applications to within the Health Care Authority and the Department of Social and Health Services. There is a high demand for this in-person assistance, and we would hate to put additional hurdles in the way of providing assistance.

Persons Testifying: PRO: Senator Rivers, prime sponsor; Mel Sorensen, WA Assn. Health Underwriters, National Assn. of Insurance and Financial Advisors, Professional Insurance Agents.

CON: Kate White Tudor, WA Assn. of Community and Migrant Health Centers.