

Insurance Fraud Accountability Act

Background: Rogue health insurance brokers are enrolling individuals into Affordable Care Act (ACA) Marketplace plans or changing their plans without their consent in order to collect commissions. These rogue brokers are enrolling individuals who have responded to misleading ads touting free government “subsidies” and other rewards [targeting low-income consumers](#). These fraudulent enrollments and plan changes **are stealing money out of American’s pockets** by leaving them with uncovered [medical expenses](#), [loss of coverage](#), [disruptions in care](#), and an unexpected [tax liability](#) that could be thousands of dollars out of their own pockets. **These bad actors should be held criminally responsible.** Access to affordable health coverage is necessary for good health and should never be exploited by fraudsters to collect illicit commissions at the expense of working Americans.

Solution: The *Insurance Fraud Accountability Act* amends the Patient Protection and Affordable Care Act to protect consumers and hold unscrupulous brokers and marketers accountable by:

- Holding agents and brokers submitting fraudulent ACA enrollments to civil penalties of not less than \$10,000 to up to \$50,000 for submitting incorrect information and criminally responsible for knowingly and willfully providing false or fraudulent information.
- Requiring the Secretary to establish a consent verification process for new enrollments and coverage changes that includes notifying individuals when there has been a change in their enrollment, agent of record, or tax subsidy.
- Requiring agents and brokers in the ACA market to act in the best interest of enrollees.
- Regulating field marketing organizations and third-party marketers by requiring these groups to register with the Secretary and meet state and federal marketing standards.
- Requiring periodic audits of agent and broker enrollments to investigate complaints and enrollment patterns that suggest fraud.
- Requiring that the Secretary regularly share a list of suspended or terminated agents or brokers with qualified health plans and States.

Supporters: AHIP, American Cancer Society Cancer Action Network, American Kidney Fund, American Lung Association, Arthritis Foundation, Blue Cross Blue Shield Association, Cambia Health Solutions (Regence BCBS), CancerCare, Centene Corporation (Ambetter), Child Neurology Foundation, Chronic Disease Coalition, Crohn's & Colitis Foundation, eHealth, Epilepsy Foundation, Families USA, Hemophilia Fed of America, Immune Deficiency Foundation, Lupus Foundation of America, Muscular Dystrophy Association, National Alliance on Mental Illness (NAMI), National Health Council, National Multiple Sclerosis Society, National Patient Advocate Foundation, QuoteVelocity, Susan G. Komen, The AIDS Institute, The Leukemia & Lymphoma Society, The Mended Hearts, Inc., UnidosUS, WomenHeart: The National Coalition for Women with Heart Disease.