



FOR IMMEDIATE RELEASE

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NABIP Responds to HHS Proposed Rule on Marketplace Integrity

Washington, D.C. — The National Association of Benefits and Insurance Professionals (NABIP) submitted formal comments to the Department of Health and Human Services (HHS) on the Centers for Medicare & Medicaid Services' (CMS) proposed rule, *CMS-9884-P: Marketplace Integrity and Affordability*. While NABIP strongly supports efforts to enhance program integrity, it strongly objects to elements that could lead to unfair treatment of licensed health insurance professionals.

We support several of the proposed policies within the rule including, but not limited to:

- Reverting to the one-year policy for filing and reconciling their tax returns.
- Removing the extra 60-day grace period beyond the standard 90-day period for verifying income inconsistencies.
- Introduction of a minimum premium for auto-renewed plans to reduce confusion and long-term financial risk for enrollees.
- Prioritization of consumer choice through removing the automatic migration of Cost-Sharing Reduction eligible enrollees from Bronze to Silver plans.

“We appreciate CMS’s ongoing engagement with stakeholders and welcome the opportunity to serve as a resource as implementation strategies are developed,” said NABIP CEO Jessica Brooks-Woods. “Our members stand ready to help shape policies that protect consumers, promote affordability, and preserve access to trusted brokers.”

NABIP voiced strong opposition over the proposal to adopt a “preponderance of the evidence” standard for terminating brokers, warning that the change would erode due process and increase the potential for arbitrary or biased enforcement. NABIP cited CMS’s own data showing that over 70% of broker terminations in 2024 were later overturned which is a sign that existing enforcement mechanisms are already strained.

“We believe program integrity starts with addressing the gaps that enable misconduct – not by weakening safeguards for ethical professionals,” added Brooks-Woods. “NABIP members are deeply committed to upholding the highest ethical standards while helping millions of consumers access affordable, quality coverage through the Marketplace. We support smart reforms that reduce fraud, waste, and abuse, but we cannot support policies that lower the evidentiary threshold for broker terminations and risk unjust enforcement. This not only jeopardizes livelihoods, but it also undermines the consumer trust that brokers have worked hard to earn.”

NABIP underscored the indispensable role brokers play in guiding consumers through the complex health insurance landscape, helping individuals and families secure the coverage and financial assistance they are eligible for. With brokers facilitating nearly 80% of all Marketplace enrollments, safeguarding their ability to serve is essential to maintaining access, trust, and stability in the system.

These recommendations align with [NABIP's Healthcare Bill of Rights](#), our commitment to ensuring all Americans have access to accurate, unbiased information and a full range of coverage options.

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[NABIP](#) is the preeminent organization for health insurance and employee benefits professionals, working diligently to ensure all Americans have access to high-quality, affordable healthcare and related benefits. NABIP represents more than 100,000 licensed health insurance agents, brokers, general agents, consultants and benefit professionals through more than 150 chapters.