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NABIP Urges CMS to Protect Beneficiary Access and Ensure Fair Agent Compensation in CY 2027 Medicare Rule

Washington, D.C. — The National Association of Benefits and Insurance Professionals (NABIP) recently submitted a comment letter to the Centers for Medicare & Medicaid Services (CMS) in response to the Contract Year (CY) 2027 Medicare Advantage and Part D proposed rule (CMS-4212-P), urging the agency to promote compensation fairness, reduce unnecessarily confusing regulations, and address bad actors in the Medicare marketplace, but without limiting access to trusted, licensed guidance.

NABIP raised concerns about abrupt agent compensation changes, particularly when carriers reduce or eliminate commissions shortly before or during the Annual Enrollment Period (AEP). These late-stage changes can disrupt the market and undermine agents' ability to assist beneficiaries during a critical decision-making period.

"Agents and brokers are often the most trusted resource Medicare beneficiaries rely on to navigate complex coverage choices," said Jessica Brooks Woods, CEO of NABIP. "When compensation structures change with little notice—especially during AEP—it threatens beneficiaries' access to personalized guidance and creates instability in the marketplace. CMS has an opportunity to bring greater consistency and transparency while continuing to protect consumers."

Building on a successful campaign engaging state Departments of Insurance to address market disruption caused by commission eliminations, NABIP urged CMS to take steps to improve market stability. Specifically, NABIP recommended that carriers refrain from making changes after October 1 to which plans appear on electronic enrollment platforms and to agent commission structures. Aligning these policies with the plan finalization timeline ahead of the Annual Enrollment Period would help ensure continuity for agents and uninterrupted access to guidance for beneficiaries.

NABIP also strongly supported CMS's goal of addressing bad actors while avoiding unnecessary burdens on compliant agents and organizations. The association recommended streamlining marketing rules in ways that preserve consumer protections and urged CMS to establish clearer guardrails for lead generation entities. NABIP also encouraged closer coordination with the Federal Trade Commission (FTC) and Federal Communications Commission (FCC) to more effectively address deceptive marketing practices without imposing unnecessary burdens on compliant agents.

Additionally, NABIP expressed support for several proposed policy changes that would enhance beneficiary access to guidance, reduce administrative friction, and improve data security, including:

- Removal of the 48-hour Scope of Appointment (SOA) waiting period
- Expanded educational and sales event flexibilities
- Modifications to TPMO disclaimer requirements
- Clarifications related to marketing language and use of the Medicare card
- Updates to record retention requirements

“These proposals align with NABIP’s Healthcare Bill of Rights, which affirms every consumer’s right to clear information, professional guidance, and protection from deceptive practices,” Brooks Woods added. “Licensed agents play an essential role in upholding these principles.”

Taken together, NABIP’s recommendations aim to protect beneficiaries, improve market stability, and recognize the vital role licensed insurance professionals play in Medicare. NABIP looks forward to continuing to work with CMS as the agency finalizes the CY 2027 Medicare Advantage and Part D rule to ensure policies strengthen beneficiary protections while preserving access to trusted, licensed guidance.

NABIP’s full comment letter to CMS outlining these recommendations can be found [here](#).

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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.