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NABIP Responds to CMS Statement on Plan Switching in the ACA Marketplace

Washington, D.C. — The National Association of Benefits and Insurance Professionals (NABIP) wishes to address the recent CMS press release that casts agents and brokers in the ACA Marketplace in an unfavorable and misleading light.

Jessica Brooks-Woods, CEO of NABIP, expresses profound disappointment: "We are deeply troubled by the portrayal of health insurance agents and brokers in the CMS statement. What was not addressed is the possibility that a large number of these unauthorized plan switches are due to technological vulnerabilities that allow automated systems to make the switches, not the unethical practices of agents and brokers."

NABIP has actively collaborated with CMS and other stakeholders since learning about the problem, bringing to light specific technological flaws that allow these systems to manipulate the agent assignment process. "We have presented evidence of systems switching thousands of consumers within mere minutes—a task impossible for humans. This clearly indicates a need for enhanced security protocols within the systems used by CMS," Brooks-Woods adds.

The unique structure of the marketplace, where agents and brokers must work through an intermediary rather than directly with carriers, introduces specific challenges. "One of our members lost several thousand clients in less than three minutes due to these vulnerabilities," Brooks-Woods states. "These incidents not only represents a significant revenue loss but also disrupts the trust and relationship established with healthcare consumers."

NABIP highly recommends the implementation of more rigorous security measures, such as two-step authentication, to protect against such vulnerabilities. "A simple click is not a sufficient barrier against the sophisticated tactics employed by these high-tech automated systems. Other industries have adopted more secure methods, and it's time for the health insurance marketplace to follow suit," Brooks-Woods asserts.

"As a broker committed to helping consumers access affordable insurance while adhering to extensive government regulations, it's frustrating for our profession to be blamed," stated NABIP President Eric Kohlsdorf. "NABIP members adhere to a strict ethical code designed to support, protect, and advocate for Americans and our industry. NABIP is eager to collaborate with all stakeholders to find solutions and protections that Americans deserve."

In light of these ongoing challenges, NABIP reinforces its commitment to our Healthcare Bill of Rights that reflects our broader mission to promote a healthcare system that prioritizes affordability, accessibility, quality, equity, and dignity for every individual.

NABIP remains committed to working with CMS and others to resolve these issues and ensure a fair, secure Marketplace that benefits all stakeholders, particularly the consumers who depend on the servicing agent to help them access affordable and appropriate healthcare coverage.

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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 and provides professional development opportunities for more than 100,000 licensed health insurance agents, brokers, general agents, consultants, and benefit professionals through more than 200 chapters across America.