

Assistor Recertification Webinar Series
Privacy and Security - July 31, 2019
FAQs

PII, PHI and HIPAA

- 1. Does the confirmation page of a consumer's enrollment or print out of the eligibility determination contain Personally Identifiable Information (PII)?**

Documents containing Marketplace Account numbers (ACs), HX ID numbers and Client Identification Numbers (CINs) are not considered PII when that single piece of information stands alone, without any additional consumer information.

However, when an AC number, HX ID number or a CIN is combined with any other information that could identify a consumer such as a name, address, or date of birth, it is PII that must be protected. For example, an AC number standing alone is not PII. An AC number combined with a consumer's name is PII because it can be used to trace the identity of the consumer.

- 2. Can an Assistor working in one department of a hospital (i.e. registration) share eligibility information with another department of the same hospital (i.e. billing) at the request of the consumer?**

The agreement between the Department of Health and Certified Application Counselor (CAC) agencies, such as a hospital, provides that the duties of CACs are (if authorized by an individual consumer) to assist the consumer in the process of applying for health insurance and facilitating enrollment in coverage.

Generally, a consumer is required to authorize a hospital to use their PII/PHI for other purposes such as treatment, payment and health care operations.

Questions regarding access to insurance coverage information for a particular consumer/patient in a hospital or other CAC agency should be directed to the appropriate privacy contact within the hospital or agency.

- 3. Can personal information of clients enrolling in the Marketplace be saved on my agency's work computers?**

You may retain only a list of client names and phone numbers for the purpose of calling to make appointments, but no further client information should be saved on an Assistor's work or personal computer, phone, or other devices.

- 4. As an Assistor, can I set up a phone conference with a consumer, myself, and the Marketplace to have the consumer transferred to my dashboard, or must it only be done when the consumer is sitting with me in person?**

Yes, a consumer may be transferred to an Assistor dashboard via teleconference with the consumer, Assistor and Marketplace. It is a good idea to have the consumer authorize you as their Assistor prior to their first appointment with you. Remember that the Call Center is required to gather information about the person/people they are

speaking to and to confirm they are authorized to speak on behalf of the consumer. This applies to everyone on the call.

Authorized Representative

5. Where can Assistors locate the Authorized Representative Designation Form?

The Authorized Representative Designation Form can be found by clicking on the link below.

[Authorized Representative Designation Form](#)

6. How long does it take for the Authorized Representative form to be approved by the Call Center?

It could take up to seven to 10 business days for a completed Authorized Representative form and associated identity proofing documents to be processed after being received by the customer service center. Once the documents are processed, the Assistor can begin working with the authorized representative directly.

7. Is there a faster way for a consumer to designate an Authorized Representative?

Consumers are now able to add an Authorized Representative to their account as part of their online application. This functionality can be accessed by having the consumer log into their account independently (not from the Assistor dashboard) or by calling the customer service center.

8. When a case with an Authorized Representative is transferred to another Assistor, does the Authorized Representative need to be re-authorized and identity proofed again?

If an individual is permanently assigned to an account as an Authorized Representative using the Authorized Representative Designation Form, then that Authorized Representative will remain authorized on the account, regardless of a change in Assistor, until/unless the consumer un-authorizes them.

Assisting Consumers with limited language proficiency

9. How can I help a consumer transfer their account to me (the Assistor) if they are illiterate and/or non-verbal?

The recommended course of action would vary depending on the type of barrier that exists. Whenever possible, the consumer should appoint an Authorized Representative. This can be accomplished by filling out the paper Authorized Representative Form or by electronically appointing an Authorized Representative through the individual application. Some documents such as Power of Attorney Form or a court order establishing guardianship can replace the need for the Authorized Representative Form.

If an Assistor is having difficulty filling out the Authorized Representative Form, they should submit the case to Assistor.Cases@health.ny.gov on the Account Review Template.

10. How do I best help a consumer with limited language proficiency?

Access to a language line (translator services) is available through the customer service center. This translation service maintains confidentiality and can assist you in working with the consumer. Please call the Service Center for assistance: 1-855-355-5777

Identity Proofing

11. Where can Assistors locate the Identity Proofing Cover Sheet?

The Identity Proofing documents can be found [here](#). If the link does not work, copy and paste the URL below into your browser.

<https://info.nystateofhealth.ny.gov/sites/default/files/Manual%20Identity%20Proofing%20Tool%20Kit.zip>

12. Why would a consumer be required to go through identity proofing again when they are recertifying and already have active coverage on the Marketplace?

If the head of household has changed their personal information such as social security number or date of birth, then they must go through the identity proofing process again. If nothing has changed and the consumer has already completed identity proofing, they should not need to complete the process again.

13. When documents have been faxed to the Customer Service Center for identity proofing, how long does it take for the process to be completed?

If the account holder is not identity proofed and the Assistor has not received a call from the NY State of Health within 48 business hours, they should follow up with the dedicated identity proofing phone number at 1-855-357-8450. The identity proofing process may take longer if additional information is being requested regarding the documents received.

Document Submission

14. Can consumers fax documents, such as their paystubs, to their assigned Assistors?

Consumer documents containing PII should be provided to an Assistor in person during an appointment to the maximum extent possible. A consumer may also fax their documents to an Assistor. When assisting consumers who will be faxing their documents, the Assistor must verify that the consumer has the correct fax number. The Assistor agency must ensure that the facsimile machine is located in a secure location and that the recipient Assistor is able to promptly receive the faxed information. The fax cover page should include the name of the Assistor as well as the consumer's name and AC number.

15. Can consumers email or text documents containing PII or PHI directly to the Customer Service Center at NY State of Health from their personal or work phones?

No, consumers should not send PII and/or PHI via e-mail. Additionally, consumers should never text photos of their documents. Assistors should remind consumers that it is important to protect their PII and PHI from unauthorized access by refraining from sending it via email or text.

16. The consumer brought in documentation to be uploaded to the Marketplace, but I need to scan it to get the image on the computer for upload. Is that a security breach, and what do I do with the image after the upload is complete?

You may use your agency's scanner to upload a consumer's document to their account. The temporary file that contains the scanned image must be deleted immediately after the document is scanned and uploaded to the account.

17. Must an authorized representative form be faxed to the Customer Service Center or can it be uploaded into a consumer's account?

Authorized representative forms and accompanying documentation can be mailed to: NY State of Health, PO BOX 11727, Albany, NY 12211. You may also fax them to: 1-855-900-5557.

18. Is there a size limit when uploading documents?

Uploaded documents cannot exceed 4 MB in size.