

1 “(2) provide notice to enrollees, in a culturally
2 and linguistically appropriate manner, of available
3 internal and external appeals processes, and the
4 availability of any applicable office of health insur-
5 ance consumer assistance or ombudsman established
6 under section 2793 to assist such enrollees with the
7 appeals processes;

8 “(3) allow an enrollee to review their file, to
9 present evidence and testimony as part of the appeals
10 process, and to receive continued coverage pending the
11 outcome of the appeals process; and

12 “(4) provide an external review process for such
13 plans and issuers that, at a minimum, includes the
14 consumer protections set forth in the Uniform Exter-
15 nal Review Model Act promulgated by the National
16 Association of Insurance Commissioners and is bind-
17 ing on such plans.”.

18 **SEC. 1002. HEALTH INSURANCE CONSUMER INFORMATION.**

19 *Part C of title XXVII of the Public Health Service Act*
20 *(42 U.S.C. 300gg–91 et seq.) is amended by adding at the*
21 *end the following:*

22 **“SEC. 2793. HEALTH INSURANCE CONSUMER INFORMATION.**

23 “(a) *IN GENERAL.*—*The Secretary shall award grants*
24 *to States to enable such States (or the Exchanges operating*

1 *in such States) to establish, expand, or provide support*
2 *for—*

3 “(1) *offices of health insurance consumer assist-*
4 *ance; or*

5 “(2) *health insurance ombudsman programs.*

6 “(b) *ELIGIBILITY.—*

7 “(1) *IN GENERAL.—To be eligible to receive a*
8 *grant, a State shall designate an independent office of*
9 *health insurance consumer assistance, or an ombuds-*
10 *man, that, directly or in coordination with State*
11 *health insurance regulators and consumer assistance*
12 *organizations, receives and responds to inquiries and*
13 *complaints concerning health insurance coverage with*
14 *respect to Federal health insurance requirements and*
15 *under State law.*

16 “(2) *CRITERIA.—A State that receives a grant*
17 *under this section shall comply with criteria estab-*
18 *lished by the Secretary for carrying out activities*
19 *under such grant.*

20 “(c) *DUTIES.—The office of health insurance consumer*
21 *assistance or health insurance ombudsman shall—*

22 “(1) *assist with the filing of complaints and ap-*
23 *peals, including filing appeals with the internal ap-*
24 *peal or grievance process of the group health plan or*

1 *health insurance issuer involved and providing infor-*
2 *mation about the external appeal process;*

3 *“(2) collect, track, and quantify problems and*
4 *inquiries encountered by consumers;*

5 *“(3) educate consumers on their rights and re-*
6 *sponsibilities with respect to group health plans and*
7 *health insurance coverage;*

8 *“(4) assist consumers with enrollment in a group*
9 *health plan or health insurance coverage by providing*
10 *information, referral, and assistance; and*

11 *“(5) resolve problems with obtaining premium*
12 *tax credits under section 36B of the Internal Revenue*
13 *Code of 1986.*

14 *“(d) DATA COLLECTION.—As a condition of receiving*
15 *a grant under subsection (a), an office of health insurance*
16 *consumer assistance or ombudsman program shall be re-*
17 *quired to collect and report data to the Secretary on the*
18 *types of problems and inquiries encountered by consumers.*
19 *The Secretary shall utilize such data to identify areas where*
20 *more enforcement action is necessary and shall share such*
21 *information with State insurance regulators, the Secretary*
22 *of Labor, and the Secretary of the Treasury for use in the*
23 *enforcement activities of such agencies.*

24 *“(e) FUNDING.—*