

Appendix C – Comment and Response Document.

Comment: We received one comment on this package from the U.S. Chamber of Commerce. This commenter requested further justification based on empirical evidence for the estimated labor costs for Navigator personnel and other assistance personnel, and the time required to provide consumers with information about the functions and responsibilities of the assister and obtain their authorization.

Response: First, the labor estimates for Navigators and non-Navigator assistance personnel are based on the Office of Personnel Management (OPM) General Schedule (GS) Salary Table for 2014. As discussed in the information collection requirements section of the proposed and final rules, we previously relied on the OPM Salary Table for our labor estimates in the final Navigator and non-Navigator assistance personnel standards rule (Patient Protection and Affordable Care Act; Exchange Functions: Standards for Navigators and Non-Navigator Assistance Personnel, July 17, 2013, 78 FR 42842). We estimate that a Navigator or non-Navigator assistance personnel would be equivalent to a GS-9, which makes about \$20/hour according to the GS Salary Table. We estimate that a Navigator or non-Navigator assistance personnel mid-level project lead would be equivalent to a GS-12, which makes about \$29/hour according to the GS Salary Table. We estimate that a Navigator or non-Navigator assistance personnel senior level executive would be equivalent to a GS-15, which makes about \$48/hour according to the GS Salary Table.

Second, we believe that the ten minute time burden for Navigators and non-Navigator assistance personnel to provide consumers with information about their assister functions and responsibilities and obtain the consumer's authorization is based on reasonable assumptions and is a reasonable estimate. As we discussed in the information collection requirements section of the proposed and final rules, we previously estimated that it would take a certified application counselor fifteen minutes to perform the same task, with the addition of providing any applicable conflict of interest disclosures. (Patient Protection and Affordable Care Act; Exchange Functions: Standards for Navigators and Non-Navigator Assistance Personnel, July 17, 2013, 78 FR 42854-42855.) Additionally, we expect that the explanation of the assister's functions and responsibilities and the process of obtaining the consumer's authorization will be brief and straightforward. We are finalizing the information collection requirements and the applicable burden estimates as they were discussed in the proposed rule, with no changes.