CMS Response to Public Comments Received for OMB Control No.: 0938-1191 (CMS-10440): Data Collection to Support Eligibility Determinations for Insurance Affordability Programs and Enrollment through Health Insurance Marketplaces, Medicaid and Children's Health Insurance Program Agencies

1. **Support for Proposal**

   All commenters expressed support for including the new question on the online and paper-based application, noting the need for expanded access to voter registration resources and its potential to reduce access barriers in underserved communities to vote. One commenter requested that we include citations of authority for this new question into this data collection package. Another commenter requested priority implementation of this change.

   Response: We thank the commenters for their support of including a question to provide voter registration resources as authorized by Executive Order 14019. This new question will be available by this year's Open Enrollment Period, which begins on November 1, when most consumers are applying for health coverage.

2. **Recommended Modifications**

   a. Several commenters suggested revising the current language of the question to ask whether the person wants to register to vote, noting it would increase participation in the electoral process. They further suggest adjusting the follow-up text to encourage voter registration opportunities at Vote.gov.

      Response: We appreciate the suggestions. Asking whether the person wants to register to vote could create a misunderstanding that individuals can register to vote through the Marketplace. As the main purpose of the application is to obtain health insurance and we cannot accept or process voter registrations on the federal

platform, we are providing applicants with the opportunity to get more information about registering to vote in their state, if they so wish. In the interactive application flow, consumers will see more background information before the question itself which provides additional context along the lines of ideas commenters submitted around the voter registration information question and there is also an educational panel to share further information with consumers who may be unsure if their information is up-to-date and what they should do if they may need to update their registration. The question itself is designed to ensure a plain language and easy to-understand question that aligns to the response options to aid in consumer comprehension and confidence in choosing how to respond and move forward in their application journey. Therefore, we will continue to maintain the question and affirmative response text as proposed, with additional contextual information that will appear on the question page.

b. Several commenters proposed making the question mandatory to answer to ensure the question is acknowledged by Marketplace applicants.

   Response: While we agree that this question helps increase awareness of voter registration resources, the Marketplace application limits required-response questions to information we need to determine eligibility for health care through the Marketplace and/or Medicaid and the Childrens Health Insurance Program (CHIP). As such, the question will remain optional.

c. Several commenters recommended that for "Yes" responses, we program Vote.gov to open in the web browser as a separate tab, pop-up, or window while users complete their Marketplace application or automatically open after a set

period of time in the confirmation page following submission of the Marketplace

application.

Response: Under further analysis, programming an action or prompt that would

result in the user leaving the application flow would create confusion and risks

moving consumers away from their primary goal of enrolling in health insurance.

Therefore, we are moving the affirmative response to display following

application submission and before the eligibility results page. This approach

reduces the potential for consumers to abandon their application for health

coverage, while still providing key information at the point in which they can

choose to act on it.

d. Several commenters suggested changes to the content on the paper application

due to a concern that applicants may miss the new question because language to a

prior question indicated that they can skip to the next section. One commenter

proposed that we use the Vote.gov logo to highlight the question.

*Response***:** We made an edit to remove the text in Attachments C and D

instructing applicants to skip to the next section. This text change will help

prevent the new question from being overlooked accidentally. Upon further

analysis, including the Vote.gov logo could create the misimpression that by

submitting the Marketplace paper application, the consumer would be registered

to vote. As such, we aren't including the Vote.gov logo. We will continue to

include visual styling to highlight the question in the paper application.

3. **Collecting Data**

Several commenters expressed interest in collecting metrics to assess the impact of

adding the question and potential improvements.

Response: Similar to other data collected in the application, we will internally track and analyze consumer interaction with the question.

4. **Optimizing ACA Navigator Program: Enhancing Voter Registration Support**

One commenter suggests having Navigators improve response rates to enhance voter registration, as they play a crucial role in assisting with enrollment. The commenter also proposed that we host training sessions for enrollment assisters on discussing civic engagement with consumers.

*Response***:** We recognize the crucial role Navigators play in guiding consumers through the Marketplace application and enrollment process to obtain health coverage. We emphasize changes to the Marketplace application in continuing education and certifications that all Navigators are required to complete. However, we will not require or encourage Navigators and other assisters to provide additional information related to voting beyond providing assistance to complete the Marketplace application as this is outside of the scope of their relationship with CMS.

5. **Enhancements**

    a. One commenter suggests that we provide technical assistance to federally recognized Tribes and Villages through improved access to the internet and other structural factors to increase civic engagement.

    Response: While we acknowledge that limited access to the internet and other items create barriers to indigenous communities, these suggestions are outside the scope of this data collection.

    b. One commenter provided suggestions for future changes to make a more robust

pathway to voter registration, such as state-specific links to voter registration forms, prefilling a national voter registration form on Vote.gov, forwarding affirmative responses to Vote.gov for follow-up communication, and conducting direct mail outreach.

Response: We appreciate the suggestions and will consider them for possible future improvements.