



May 6, 2013

Ms. Marilyn Tavenner  
Acting Administrator  
Centers for Medicare and Medicaid Services  
Department of Health and Human Services  
7500 Security Boulevard  
Baltimore, MD 21244-1850

**Re: CMS-9955-P - *Patient Protection and Affordable Care Act; Exchange Functions: Standards for Navigators and Non-Navigator Assistance Personnel***

Dear Ms. Tavenner:

The Society for Public Health Education (SOPHE) welcomes the opportunity to comment on the proposed rule for standards for Navigators and non-Navigator Assistance Personnel. Given the estimated 30 million people who will need to enroll in the insurance marketplace this fall, the role of Navigator will be vital to ensuring a fair and smooth process.

SOPHE is a 501 (c)(3) professional organization founded in 1950 to provide global leadership to the profession of health education and health promotion. SOPHE contributes to the health of all people and the elimination of health disparities through advances in health education theory and research; excellence in professional preparation and practice; and advocacy for public policies conducive to health. SOPHE is the *only* independent professional organization devoted exclusively to health education and health promotion. Members include behavioral scientists, faculty, practitioners, and students engaged in disease prevention and health promotion in both the public and private sectors. Collectively, SOPHE's 4,000 national and chapter members work in universities, medical/health care settings, businesses, voluntary health agencies, international organizations, and all branches of federal/state/local government. Our 20 chapters provide direct outreach in more than 30 states and regions of the country.

Overall, SOPHE commends CMS on issuing a proposed rule that will promote a successful and responsive enrollment program that fills the need on both individual and systemic levels. We support the proposed requirement for Navigator and non-Navigator assistance programs to: 1) follow Federal conflict of interest, training and certification, and meaningful access standards; 2) require registration and certification of Navigator and non-Navigator personnel; and 3) establish standards that would ensure individuals with limited English proficiency and individuals with disabilities are provided meaningful access to services of Navigators and non-Navigator personnel.

Health education specialists work to encourage healthy lifestyles and wellness through educating individuals and communities about behaviors that can prevent diseases, injuries, and other health problems. There are more than 250 colleges and universities around the nation that provide baccalaureate and advanced degrees for health education specialists. Health Educators work in diverse settings, including in the health care system, and play an important role in the health care and public health team across the spectrum including helping consumers learn about: navigating the healthcare system; prevention and disease risk reduction; diagnoses and treatment options; and managing chronic care conditions. They also train and supervise promotoras/lay health advisors and help patients and families connect to community resources, which are vital in preventing readmissions and cost effective use of the healthcare system. Health education specialists possess essential knowledge and skills for working in interdisciplinary teams, care coordination, quality improvement for strategic planning and systems redesign, community engagement, community needs assessment, and health coaching. Finally, these specialists are involved in conducting training for other healthcare personnel and modifying policies and systems within the healthcare system for improved coordination of care and consumer health outcomes.

As proposed in CMS-9955-P, health education specialists have a certification system to promote high-quality standards of professional practice. Entry- and advanced health educators can earn a credential (Certified Health Education Specialist - CHES) after qualifying and successfully completing a rigorous examination conducted by the National Commission for Health Education Credentialing, Inc. This system has been in place for more than 20 years. Certified Health Education Specialists (CHES) are individuals that have met the required academic qualification guidelines and successfully passed a comprehensive competency-based examination demonstrating skill and knowledge of the [Seven Areas of Responsibility of Health Education Specialists](#)<sup>1</sup>, upon which the credentials are based. Moreover, health education professionals with advanced knowledge and skills are eligible to become Master Certified Health Education Specialists (MCHES). Both CHES and MCHES are required to have extensive continuing education to maintain their credentials.

Additionally, consistent with the proposed rule, health education specialists abide by a Health Education Code of Ethics that provides a basis of shared values for how health education is practiced (see - <http://www.nchec.org/credentialing/ethics/>). The responsibility of all health educators is to aspire to the highest possible standards of conduct and to encourage the ethical behavior of all those with whom they work. The first of six areas of responsibility articulated in the Code specifies a responsibility to the public and that “health educators must consider all issues and give priority to those that promote wellness and quality of living through principles of self-determination and freedom of choice for the individual.”

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<sup>1</sup> National Commission for Health Education Credentialing, Inc. (2010). Responsibilities and Competencies for Health Education Specialists. Available at: <http://www.nchec.org/credentialing/responsibilities/>

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Thus, health education specialists have much to contribute to achieving the goals of ACA and this proposed rule -- both in knowledge and skills as well as in professional oath and ethics. As such, SOPHE proposes integrating the knowledge and skills of health education into the *Training Standards for Navigators and Non-Navigator Assistance Personnel Carrying Out Consumer Assistance Functions Under §§ 155.205(d) and (e) and 155.210 (Proposed § 155.215(b))*. **Specifically, “health education” should be added as a subject on which individuals carrying out consumer assistance functions must be trained under the *Training module content standards* --** along with “eligibility and enrollment rules and procedures, the range of QHP options and insurance affordability programs, the needs of underserved and vulnerable populations, and privacy and security requirements applicable to personally identifiable information.” Moreover, it is vital that the training modules specify competencies to be demonstrated by trainees as a result of such provider training. SOPHE would be pleased to work further with CMS to delineate such specific competencies that will be vital to ensuring that the Navigator and non-Navigator assistance programs are meeting the needs of diverse consumers.

SOPHE applauds the inclusion of Culturally and Linguistically Appropriate Services (CLAS) Standards and ensuring access for those persons with disabilities. The knowledge and skill of cultural competence is specifically defined within two health educator Areas of Responsibility: *Area II: Plan Health Education* and *Area III: Implement Health Education*. Health education specialists understand and can help eliminate the barriers that may be faced by the multitude of consumers who will avail themselves of the exchanges. Health education specialists possess expertise in communicating with and understanding the needs of underserved and vulnerable populations, populations with limited English proficiency, and people with disabilities. Requiring professionals trained in CLAS and cultural competence is vital to eliminating health care disparities and managing enrollment of diverse individuals that have never been insured.

Adding “health education” as a skill under the training standards and the inclusion of the term “health education specialist” as appropriate in Navigator and non-Navigator Assistance personnel descriptions will help ensure the goals of ACA are achieved, and also help in the recruitment of qualified professionals that otherwise may be overlooked or under-utilized.

Thank you for consideration of our recommendations. SOPHE looks forward to working with you on implementing these and other provisions of the ACA. Please contact Jerrica Mathis at [jmathis@sophe.org](mailto:jmathis@sophe.org) or 202-408-9804 with any additional questions.

Sincerely,



Kelli McCormack Brown, PhD, CHES  
President



Elaine Auld, MPH, MCHES  
Chief Executive Officer