**Section 3125.70 Navigator, In-Person Counselor and Certified Application Counselor Prohibited Conduct**

1. A Navigator, In-Person Counselor, Certified Application Counselor and Certified Application Counselor Organization may not:

1) sell, solicit, or negotiate, as these terms are defined in Section 500-10 of the Illinois Insurance Code, any of the classes of insurance enumerated in Section 4 of the Illinois Insurance Code;

2) offer advice about which health plan is better or worse for a particular individual or employer;

3) recommend or endorse a particular health plan or advise consumers about which health plan to choose;

4) provide any information or services related to health benefit plans or other insurance products not offered in the exchange, except for health care providers when furnishing information or services related to a patient's existing health benefit plan or other existing health insurance coverage;

5) accept any compensation or consideration, directly or indirectly, from any issuer of accident and health insurance or stop-loss insurance that is dependent, in whole or in part, on whether a person enrolls in or purchases a particular private health benefit plan; or

6) engage in any unfair method of competition or any fraudulent, deceptive or dishonest act or practice with respect to the Marketplace or with respect to that individual's or entity's absence of a conflict of interest in connection with the enrollment of any individuals or employees in a particular private health benefit plan.

1. Subsections (a)(1) through (a)(5) do not apply to Navigators, In-Person Counselors, Certified Application Counselors or Certified Application Counselor Organizations when assisting individuals with the enrollment process in the State Medicaid program or other public programs.
2. A Navigator or In-Person Counselor may not:
3. Be a health insurance issuer or issuer of stop-loss insurance;
4. Be a subsidiary of a health insurance issuer or issuer of stop-loss insurance;
5. Be an association that includes members of, or lobbies on behalf of, the insurance industry; or
6. Receive any consideration directly or indirectly from any health insurance issuer or issuer of stop-loss insurance in connection with the enrollment of any individuals or employees in a Qualified Health Plan or Non-Qualified Health Plan.