

MA and PDP Plan Marketing Fact Sheet

What marketing activities are MA and PDP plans permitted?

Provide beverages and light snacks to potential enrollees at sales events

- Including fruit, raw vegetables, pastries, cookies, crackers, muffins, yogurt, nuts
- Cannot be bundled as a meal

Send direct mail to potential enrollees

- Not including enrollment forms

Call current enrollees to conduct business specifically related to current plan

Call former enrollees for disenrollment survey

- Must call after effective date of disenrollment

Enrolling agents and brokers may call the beneficiaries they enrolled

Call beneficiaries who have given specific permission to do so

Market plans in healthcare common areas

- Including hospital or nursing home cafeterias, community or rec rooms, conference rooms

Participate in educational events

- May distribute Medicare information, health educational materials, and business cards (only upon beneficiary request) when invited to participate in the event
- Must provide disclaimer that “event only for educational purposes and no plan specific benefits or details will be shared” when organizing, sponsoring, or promoting as an educational event

Visit potential enrollees at their homes

- Only upon beneficiary request

Identify specific type of plan to be discussed

- Prior to marketing event or in-home appointments
- Additional types of plans may be discussed at separate appointment (only upon beneficiary request) at least 48 hours later

What marketing activities are MA and PDP plans NOT permitted?

Provide meals or subsidize the cost of meals

Provide gifts of value higher than \$15 retail

Discuss products outside of “scope of appointment”

Unsolicited contact

- Including door-to-door marketing, outbound marketing calls, marketing calls to former enrollees, calls to confirm receipt of mailed information, calls to confirm appointments, approaching potential enrollees in common areas, follow-up calls or visits after sales events, email, or calls to “referred” friends and family members

Market plans or collect enrollment forms at educational events

- Including health fairs, conference expositions, state or community-sponsored events

Market non-health care related products during sales events (aka cross-selling)

- Including annuities and life insurance

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Use the term “Medicare” in any misleading manner

- Including claims that the agent is from Medicare

Market plans or collect enrollment forms in healthcare settings

- Including waiting or exam rooms, hospital rooms, dialysis clinics, pharmacy counters
- Not including common areas

Use the name or logo of a co-branded network partner on membership materials

- Including ID or membership cards

What marketing activities are providers permitted?

Distribute and/or make available plan marketing materials

- Must include materials from all plans with which they participate
- Make available PDP enrollment applications
- Cannot make available MA (including MA-PD) enrollment applications

Provide patients with benefits information about different plans

Educate patients on the type of plans that might best suit them

- Providers cannot steer patients to any one plan or group of plans

What marketing activities are providers NOT permitted?

Accept any enrollment applications

Rank, order, or highlight any of the plans they discuss

Advocate for any particular plan or group of plans

- Cannot use phrases such as, “You should enroll in this plan” or “I use this plan and I think it would be good for you too”
- Cannot favor or appear to favor one plan or a group of plans over others

How to report potentially improper conduct

If you think, or have reason to believe, that a plan, agent or broker, or a provider is acting improperly, you may want to report their activities. Below are some key contact information for persons and organizations that deal with Medicare fraud, waste, and abuse.

CMS

Call 1-800-MEDICARE (or the SHIP Medicare hotline at 1-888-647-6701).

Senior Medicare Patrol

SMPs are organizations in every state whose purpose is to locate and report potential fraud and abuse. Find your local SMP at: http://www.aoa.gov/smp/grantee/grantee_state.asp.