

# Compliance Bulletin

## General Marketing Material Requirements

January 31, 2014  
CB0005-14

### **General Marketing Material Requirements**

All advertising materials must comply with applicable law. Advertising materials include print materials, websites, and social media. Advertising materials should be submitted to the Company for compliance review. Agents will be subject to disciplinary action in the event they use advertising materials that are not in compliance with regulations and carrier requirements (if applicable).

Certain basic requirements may be anticipated in connection with most marketing pieces. General guidelines for marketing materials are set forth below. Please note that carriers frequently review agents' marketing materials and will discipline agents for non-compliant materials.

### **Branding/Logos**

Agents may not use carrier brands/logos, plan-specific names, or product-specific names on generic marketing materials or business cards.

### **References to Products/Plans**

Agents may list product types on marketing pieces (e.g., Medicare Supplement Insurance Plans, Medicare Advantage, etc.), but not specific product or plan names (e.g., Medicare Complete).

### **General Advertising Materials: Tips**

- All text in the ad must be in a minimum font equivalent to 12-point Times New Roman.
- Ads must identify the licensed agency or agent who is sending the piece.
- Outreach intent of the ad must be clear.
- Mailers and advertising materials need to include the following statement where the addressee's information is on the mailer: "This is an advertisement."
- The ad must positively affirm a permission to call. (e.g., "A licensed representative may call you regarding this insurance-related information request.")
- General disclaimer to include with an ad: Certain exclusions and limitations may apply. Some products may not be available in all areas.
- If Medicare is referenced in the ad or the agent visit could ultimately result in the discussion of a Medicare-related product, you must include the following disclaimer: "Not affiliated with the United States government or the federal Medicare program."
- Certain types of products may only be marketed during specific enrollment periods.
- If an agent's telephone number is provided, a statement must be included that clearly identifies that calling the number will direct the consumer to a licensed insurance agent.
- Consumer contact information fields in a business reply card or response must be listed as optional.
- Ads should not request a consumer's date of birth as this is Personally Identifiable Information (PII).
- If statistical data is provided, a reference source with the date must be included.
- If a telephone number is not included on a returned business reply card, the agent may not contact the consumer either by phone or a visit.
- Carriers may not be mentioned in a marketing piece without the carrier's written pre-approval.
- Marketing pieces should not create fear or imply a false sense of urgency.
- Agents should not use the terms "investment advisor," "financial advisor," or "financial planner" when referring to an agent who holds only an insurance license.
- Agents should avoid the use of the term "senior" when describing Medicare products since these products are available to individuals under the age of 65 in certain circumstances.

*This is not a comprehensive list of marketing material requirements. During the review process, the marketing materials will be reviewed for compliance purposes specific to the ad. If you have any questions regarding advertising materials, including those materials already in use, please submit all questions to [Compliance@nishd.com](mailto:Compliance@nishd.com).*