



Procedure - Generic Marketing Material

Effective Date: January 24, 2014

Topic	Policy	Procedure	Owner/Action
<p>eneric marketing material generated by agents</p>	<p>See Policy B0002 – Marketing Material Submission and Review; Policy L0003 – Agent/Marketing Oversight Policy</p> <p>Reference: 42 CFR section 417.428, section 422.2268, and section 423.2268 define the standards for marketing. Thus, CMS’ authority for marketing oversight, and the MMG, encompasses not only marketing materials but also marketing/sales activities. As Plans/Part D Sponsors implement their programs, they should consider the following guiding principles: • Plans/Part D Sponsors are responsible for ensuring compliance with CMS’ current marketing regulations and guidance, including monitoring and overseeing the activities of their subcontractors, downstream entities, and/or delegated entities.</p>	<p>CMS Guidance All advertising materials must comply with applicable law. Advertising materials include print materials, websites, and social media.</p> <p>Branding/Logos Agents may not use carrier brands/logos, plan-specific names, or product-specific names on generic marketing materials or business cards.</p> <p>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).</p> <p>General Advertising Materials:</p> <ul style="list-style-type: none"> ▪ All text in the ad must be in a minimum font equivalent to 12-point Times New Roman. ▪ Ads must identify the licensed agency/agent submitting 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 marketing 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. 	<p>Network Insurance Leadership and the Compliance Department</p> <p>Methodology: Policies and procedure are communicated to agents through written and oral communications. a) Marketing material review. b) Agent/agency interaction. c) Compliance Bulletins: - January - February - March - April - May - June - July - August Also, updated materials are available on the Company’s website.</p>

		<ul style="list-style-type: none"> ▪ 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. <p>Network Insurance Oversight</p> <p>On a monthly basis:</p> <ol style="list-style-type: none"> 1. Network will send a Compliance Bulletin offering tips on compliant marketing material, including what is generic and what needs carrier approval. Additionally, the agents will be informed to contact Network for marketing material questions. Topics will include items applicable to the time of year and applicable enrollment period for the marketing material and will address common issues identified in submitted ads. 2. Agents submitting marketing material for approval, will complete and submit the Marketing Material Checklist form along with the marketing piece. 2. Five (5) down line agencies will be asked to submit three (3) pieces of generic marketing material for Network’s review. 3. UHC will send generic material review requests from Network’s down line to Compliance@Nsgacommunications.com for follow up. 4. Network will contact the agent/agency, remind them to submit questions directly to Network’s Compliance mailbox, and will review the marketing material. 5. Audited marketing material and changes (if any) will be maintained by Network Insurance. <p>Schedule subject to change at the reasonable discretion of Network Insurance.</p> <p>Disciplinary action for non-adherence to marketing material compliance guidelines:</p> <p>The general discipline for non-adherence with marketing material guidelines is set forth below. Steps may be added or removed at the discretion of the Company or carrier.</p> <p>First offense (Coaching) – as dictated by the carrier’s disciplinary guidelines and additional corrective action, if any, as deemed by the Company’s Compliance Department and/or the Company’s leadership.</p> <p>Second offense (Corrective Action Plan (CAP)) – as dictated by the carrier’s disciplinary guidelines and additional corrective action, if any, as deemed by the Company’s Compliance Department and the Company’s leadership.</p> <p>Third offense – Disciplinary action up to and including possible termination of agent’s contract.</p>	
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