

Medicare Advantage Marketing

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December 4, 2007

Goals and Objective of Marketing Guidelines

- Expedite the process for CMS' review of marketing materials;
- Conserve Organization resources by avoiding multiple submissions/reviews of marketing materials prior to final approval;
- Ensure uniform marketing reviews across the nation; and
- Most importantly, provide Medicare beneficiaries with current, accurate, consumer-friendly marketing materials.

Marketing Guideline Basics

- Marketing Guidelines apply to:
 - Medicare Advantage Plans
 - Medicare Prescription Drug Plans
 - Prescription Drug Plans
 - 1876 Cost Plans
- Marketing guidelines along with other Managed Care Manuals provide guidance for marketing plans

Marketing Guideline Basics

- Marketing Guidelines were developed after careful evaluation of:
 - Current industry marketing practices
 - Recent advancements in communication technology and
 - Protection of the interests of Medicare beneficiaries
- Marketing Guidelines are located on CMS website at <http://www.cms.hhs.gov>

Marketing Guidelines Basics

- Marketing: “*Steering or attempting to steer* an undecided potential enrollee towards a Plan, or limited number of Plans, and for which *the individual or entity performing marketing activities expects compensation* directly or indirectly from the Plan for such marketing activities.”

Oversight of Marketing

- CMS uses several mechanisms to ensure marketing compliance
- Prospective review of marketing materials
- Retrospective review of materials submitted File & Use
- Marketplace Surveillance
- Partnership with States and Beneficiary Advocates

Lessons Learned

- Promoting an informed choice
- Operational issues with submission and disapproval of marketing materials
- Submission of Materials through File & Use

Promoting and Informed Choice

- Ensuring Medicare beneficiaries have the information they need to make informed choices
- Ensuring materials are clear, accurate, and timely
- Ensuring brokers/agents are properly trained and tested in Medicare Program Requirements and Marketing Guidelines

Operational Issues/Disapproval of Materials

- Most prevalent reasons for disapproving marketing materials are errors leading to incorrect or incomplete information
- Global issues – missing Material ID and Placeholder information
- Communication between plan and Regional Office Plan Manager

Operational Issues/Disapproval of Materials

- Improperly using HPMS
- CMS should not have to be an editor or point out incorrect or incomplete information

File & Use

- Strongly encouraged for all qualified materials
- Organizations are required to submit 90% of materials that qualify for File & Use Certification
- For 2007, Plans submitted 24% of File & Use materials for review

File & Use

- Plans must accept the responsibility that materials are complete, accurate, not misleading, and conform to CMS requirements

Best Practices

- Compliance Training Courses and Testing for agents
- Verification process to ensure that Medicare beneficiaries understand both the benefits and restrictions related to the plan
- Profile data at the individual agent level concerning disenrollment rates and complaints

Best Practices

- Require that agents clearly identify the plan that they represent
- Require that the managers conduct on the job training
- Establish a system of regular communication
- Conduct audits of marketing brokers

Best Practices

- Ensure marketing materials have been submitted to CMS and reviewed according to the marketing guidelines and other applicable guidance
- Develop second-level internal review of marketing material prior to submitting to CMS

How Can You Assure Marketing Compliance?

- Familiarity with the Guidelines
- Development of Internal Protocols
- Adequate training and testing of marketing representatives
- Use of Model Documents
- Ensure the materials contain accurate information and are not misleading
- Timely Marketing Material submission to ensure adequate time for review before use in the marketplace

CMS Commitment

- Streamlined marketing review
- Timely release of model documents
- Open communication: user group calls and training sessions