

			<h1 style="color: blue;">Policy</h1>		
<b>Manual Section:</b> Corporate Policy and Procedures, Sales and Marketing Area, National Sales Support			<b>Policy Name:</b> <b>Marketing Consent to Contact and Scope of Appointment Consent</b>		
<b>Policy Number:</b> C6MMO-053			<b>Issue Date:</b> 9/10/09		<b>Page:</b> 1 of 4
<b>Prior Policy Number(s):</b> C26NS-053			<b>Related Procedure(s):</b>		
<b>Applicable to:</b>			<b>(Check One)</b>		
<input checked="" type="checkbox"/>	Corporate Sales and Marketing	<i>Area</i>	<b>New</b> <small>(Date policy was created)</small>	<input type="checkbox"/>	
<input type="checkbox"/>			<b>Reviewed</b> <small>(No changes to policy)</small>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	National Sales Support	<i>Department</i>	<b>Revised</b> <small>(Content changes made to policy)</small>	<input checked="" type="checkbox"/>	05/26/16
<input type="checkbox"/>		<i>All Associates</i>	<b>Repealed</b> <small>(Policy is no longer active)</small>	<input type="checkbox"/>	
<input type="checkbox"/>	Medicare: CA, CT, FL, GA, HI, IL, KY, LA, MS, NJ, NY, AR, SC, TN, TX, PDP	<i>Lines of Business and Applicable State(s)</i>	<b>State Agency Approval Date</b> <small>(Attach supporting evidence)</small>	N/A <small>(State Abbreviation)</small>	N/A <small>(Date)</small>
<input checked="" type="checkbox"/>			<b>Electronic Approvals are located in C360</b>		

**Authority/Purpose:**

In adopting this policy on Marketing Consent to Contact (C2C) and Scope of Appointment (SOA) Consent, WellCare Health Plans, Inc. and its representatives seek to ensure compliance with applicable federal and state laws, regulations, and guidance for Medicare Advantage organization marketing, including but not limited to 42 C.F.R. 422.2262, 422.22

68 (g), and (h) 423.2262 and 423.2268 (g) and (h) and the Medicare Improvements for Patients and Providers Act of 2008 (“MIPPA”).

This policy outlines the requirements for using the appointment verification line (AVL) to document all SOAs and exceptions to the SOA policy that allow a paper scope to be obtained for those hearing impaired or as otherwise outlined in the policy. All beneficiary facing documents and scripts are approved via our standard materials approval process. The producers are trained on this policy and process during the annual certification training (ACT) or as procedural changes are applied.

**Definitions:**

- **Producer:** 1099 sales representatives (e.g., independently contracted agents, vendors / phone agents, and hierarchies)
- **Benefit Consultants:** W2 sales representatives

- **Sales Support Staff:** Sales Associates, Community Outreach Associates, Sales Managers, Sales Directors, and Non-Producers involved in the sale or marketing of WellCare's Medicare products.
- **Personal/Individual Marketing Appointment:** Personal/individual marketing appointments are defined by the privacy setting in which the appointment takes place. Personal/individual marketing appointments typically take place in the Medicare beneficiary's home. However, these appointments can also take place in other venues, such as a library or coffee shop where there is space to meet and discuss the plan in an area set apart from the general public.
- **Appointment Verification Line (AVL):** The Appointment Verification Line is a three-way recorded call developed to enable Producers to set personal/individual marketing appointments with the assistance of a live TeleServices agent. The AVL captures information including: time, date, location (if applicable), Scope of Appointment Consent for Medicare Advantage and/or Medicare Part D Plans, and optionally Consent to Contact.
- **Appointment Confirmation Form (ACF):** The Appointment Confirmation Form is a form that captures Scope of Appointment and Consent to Contact Method. It is used in limited scenarios for beneficiaries with a hearing disability, an unsupported language or where there are phone access issues.
- **Consumer Appointment Verification Line (CAVL):** The Consumer Appointment Verification Line is a two-way recorded call, developed for beneficiaries who want to schedule a Personal/Individual Marketing Appointment with a Producer based upon a previous compliant interaction or marketing material from a specific Producer. TeleServices telephonically records time, date, location (if applicable), Scope of Appointment Consent for Medicare Advantage and/or Medicare Part D Plans, and optionally Consent to Contact on behalf of the Producer.
- **SalesForce.com (SFDC):** WellCare's Online Lead and Event Management system.
- **Consent to Contact (C2C):** The voluntary agreement, written or recorded, by a Medicare Beneficiary to be contacted in the future in regards to the marketing of Medicare Advantage and/or Medicare Part D plans. All business reply cards (BRC) used for documenting beneficiary scope of appointment or agreement to be contacted are submitted to CMS for review and approval and include a statement on the BRC informing the beneficiary that a sales person may call as a result of their returning a BRC.
- **Marketing Response Call Center:** WellCare Call Center providing general information to prospective beneficiaries on WellCare's Medicare Advantage and Prescription Drug Plan offerings. The services provided include but are not limited to:
  - Capturing the Scope of Appointment and setting appointments for prospective beneficiaries to meet with Producers to obtain information on plan offerings and enrollment
  - Providing/mailling information about WellCare's plan offerings
  - Capturing RSVP's to WellCare events
  - Capturing Consent to Contact from Medicare Beneficiaries
  - Collecting PDP and/or Medicare Advantage Plan enrollments by licensed telephone service reps

## **Policy Statement:**

1. SOA documentation is generally in the form of a recorded oral agreement but in cases where a paper SOA is needed then the SOA is captured with a signature by the beneficiary, 48 hours in advance when practicable.
  - Marketing/sales event attendee, as defined in Chapter 3, Medicare Marketing Guidelines (MMG), does not require documentation via a SOA; however, if the attendee requests an appointment then SOA documentation must be obtained.
2. Once the appointment is set up in accordance with the SOA guidance, the Producer/Sales Support Staff may:
  - Distribute plan materials
  - Discuss various plan options
  - Provide educational content
  - Provide and collect enrollment forms.

The Producer/Sales Support Staff, however, may not:

- Discuss plan options that were not agreed to by the Medicare beneficiary (see “Scope of Appointment,” CMS Medicare Marketing Guidelines, Chapter 3, section 70.9.3) unless another call is made to the Appointment Verification Line to record scope of appointment consent for another product;
  - Market any health care related product during a marketing appointment beyond the scope agreed upon by the Beneficiary, and documented via a SOA, prior to the appointment, (48-hours in advance whenever possible);
  - Market non-health care related products (such as annuities and life insurance).
3. The producer may only discuss those products that have been agreed upon by the beneficiary via the SOA; distinct lines of plan business include MA and PDP products. If other products need to be discussed at the request of the beneficiary, a SOA will be documented, via AVL or a paper scope if the circumstances dictate, for the new product type, and then the marketing appointment will continue.
  4. In the event a beneficiary cannot confirm SOA on a recorded line, the producer is required to call the AVL prior to the appointment without the beneficiary to document a Paper Scope Exception.
  5. Sales and marketing activities of WellCare producers and Inbound Marketing Response Call Centers will be performed in accordance with all applicable laws, regulations, guidelines and WellCare’s policies. WellCare has adopted the following policies and associated procedures to ensure producers and Informational Call Centers engage in compliant marketing interactions:
    - A. Centralized appointment setting via use of the WellCare AVL and Salesforce.com system for documentation of SOA.
    - B. C2C management via mandatory documentation within Salesforce.com.
    - C. A beneficiary may set a SOA at a marketing/sales event for a future appointment via the AVL, or paper if circumstances dictate.

D. All WellCare Marketing Response Call Centers must meet and/or exceed all minimum requirements set forth in Chapter Three Medicare Marketing Guidelines.

**Record Retention:**

All information collected in the AVL, ACF and CAVL is recorded and archived for 10 years.