WEBSITE GUIDELINES

for Compliance with CMS Medicare Communications and Marketing Guidelines

Below is a list of the some of the basic guidelines for agent websites. This guide is intended to assist agents in complying with the CMS Medicare Communications and Marketing Guidelines (MCMGs) when appointed with carriers for Medicare Advantage (MA/MAPD) and/or Medicare Prescription Drug Plans (PDP). This list is not all-inclusive.

❑ Website must not give the impression that you are associated with Medicare or have any government affiliation. It is recommended that you add the following disclaimer: "Not connected with or endorsed by the United States government or the federal Medicare program"

❑ The following are prohibited:
  ❑ Use of the term "senior' when describing enrollment eligibility.
  ❑ Superlatives (e.g., the most recognizable name in market; I work with only the best carriers),
  ❑ Scare tactics (e.g., You must enroll, Required to elect).
  ❑ Misleading or disparaging statements regarding CMS, the Medicare program, any other governmental agency and/or carriers.
  ❑ Plan materials, product descriptions, benefits or Star Ratings.

❑ Terms not recommended for use:
  ❑ The term "senior" to describe the consumer. Material cannot target seniors or imply that plans are available only to seniors and not all Medicare eligible consumers.
  ❑ The term "entitled" as this term is reserved by CMS only for reference to Medicare Part A. The recommendation would be to use "eligible."
  ❑ The term "free" to describe a cost or benefit (e.g., free gym membership, free exam).

❑ The website may not include any symbols, images, graphics and/or colors that resemble or imply a connection with Medicare or the U.S. federal government (such as a flag; a red, white and blue color scheme; etc.).

❑ Agent titles and descriptions of agents: Using the word Medicare and/or any language in a title that implies that an agent has additional knowledge, skill, or certification above licensing requirements that cannot be verified are prohibited. Do not use the term "expert" or any similar terminology to describe the agent. (Examples of *prohibited* agent titles are: "Medicare Sales Agent" and "Senior Advisor" or "Senior Health Plan Specialist.")

❑ Materials (including websites) that include an agent's phone number should clearly indicate that calling the agent number will direct an individual to a licensed insurance agent. Wherever the agent's phone number is listed, this requirement can be satisfied by preceding the phone number with something similar to: "To speak to a licensed insurance agent, call 222-333-4444" OR "Call 222-333-444 to speak to a licensed insurance agent"

❑ The website should identify the agent as a licensed insurance agent or one of the acceptable agent title examples listed below:
   • Sales Agent
   • Sales Representative
   • Independent Sales Agent
   • Independent Sales Representative
   • Licensed Agent
   • Licensed Insurance Agent
   • Licensed Sales Agent
   • Licensed Sales Representative

Note – Adding the agent's name and the "licensed agent" title after or below the agent's phone number will allow the agent to comply with both requirements to identify him/herself as a licensed agent and to indicate that by calling the phone number, the caller will be directed to a licensed agent.

❑ Disclosure or citing your source of information is required, when applicable.

❑ Best practice is for the website to identify or list the states in which the agent/agency is (or is not) licensed and appointed.

❑ If adding carrier logos and/or carrier names, there are required approval processes that vary by carrier. Senior Market Sales can provide guidance on requesting approval from the various carriers.

❑ For educational information regarding Medicare or Medicaid, agents may provide a link to the official websites for Medicare and Medicaid: http://www.medicare.gov

❑ If the webpage includes an advertisement to a Medicare Event, there are certain requirements:

    ❑ For Medicare Sales/Marketing Events and for Educational Events, the following disclaimer is required: "For accommodation of persons with special needs at sales meetings call 711"

    ❑ For Educational Events, the website must explicitly advertise the event as "educational."

    ❑ If the website announces information regarding a prize or drawing at the event, it must include one of the following disclaimers: "Eligible for a free drawing and prizes with no obligation" or "Free drawing without obligation."

    ❑ The website may not require beneficiaries to provide any contact information (including email address) as a prerequisite for attending a Sales/Marketing Event.

Permission to Contact (PTC)

Permission to Contact (PTC) requests must meet the CMS MCMGs and federal privacy rules. Any time there is a possibility that the request to be contacted could lead to a MA/MAPD and/or a PDP sale, the CMS MCMGs for PTC apply. This includes obtaining contact information for a prospective enrollee on any of the following type of links or similar links: "Contact Us," "Ask Us A Question," or "Get A Quote."

❑ To obtain PTC that complies with the CMS MCMGs, the appropriate PTC language must be placed immediately above or below the contact information request copy. Example of PTC language: "YES, I would like to have a licensed insurance agent call or email me about Medicare Advantage Plans, Medicare Part D Prescription Drug Plans and/or Medicare Supplement insurance." This copy will need to be added on *all* web pages and links that request viewer contact information.

❑ Due to federal privacy laws and some carrier guidelines, the website should not ask for the respondent's date of birth. You may ask for the age or Date of Medicare eligibility, or ask "Are you eligible for Medicare?"

Note: Although the CMS MCMGs show relaxed rules for obtaining PTC prior to sending unsolicited emails, as of the drafting of this document, UnitedHealthcare has not relaxed their PTC rules for email contact.

Website Review

❑ Once a website is set up, the agent may submit it to Senior Market Sales for review. We strive to review agent's websites within two weeks of the request; however, we cannot guarantee that turnaround time, especially during the busy time leading up to AEP.

Note: Agents appointed with UnitedHealthcare (UHC) are required to register any agent/agency-created website that contains the UHC company name, logo, and/or hyperlink with UHC. Agent use of social media as a marketing tool, including, but not limited to Facebook, LinkedIn, You Tube, Twitter, blogs, chat rooms, and message boards is subject to CMS regulations and UHC rules, policies, and procedures. Refer to UHC's Agent Website and Social Media Guidelines job aid for registration instructions.

Miscellaneous

❑ Privacy: You cannot guarantee 100% privacy on a website that is not a secure website. You may replace the text with: "We will not share your information."

❑ Only for agents appointed with UnitedHealthcare (UHC): Agents can never use the AARP name in any material, without UHC approval. Approval is only granted for A20 level agents. Also, the correct spelling for UHC has no spaces and the U and H are capitalized: UnitedHealthcare

❑ Note: Some states may have additional requirements or restrictions.