

Permission to Call Primer

Before calling a consumer about Medicare Advantage or Part D Prescription Drug plans, make sure you are well versed in Permission to Call (PTC) guidelines. This reference tool provides you with common situations when an agent may or must not contact a consumer telephonically. If you still have questions, contact your marketer or send an email to compliance@seniormarketsales.com.

Prior to calling a consumer, you must obtain PTC. PTC may be obtained by receiving a completed Business Reply Card (BRC) or lead card. PTC is always limited to the method of contact and product scope defined in the BRC or lead card. **Unsolicited direct contact with a consumer is prohibited.**

Agent prohibited activities

Prohibited activities include, but are not limited to, the following:

- Bait-and-switch strategies - making unsolicited calls about other business as a means of generating leads for Medicare plans.
- Calls to former clients who have disenrolled or to current members who are in the process of voluntarily disenrolling to market plans or products. Clients who are voluntarily disenrolling from a plan should not be contacted for sales purposes or be asked to consent in any format to further sales contacts.
- Calls to consumers who attended a marketing/sales event, unless PTC to do so was obtained.
- Calls to consumers to confirm receipt of mailed information unless PTC to do so was obtained.
- When conducting an educational event, agents may not schedule individual/personal marketing appointments or obtain PTC.
- Approaching a consumer in a common area such as a parking lot, hallway, lobby, or sidewalk.
- Depositing marketing material (e.g. flyer, door hanger, leaflet etc.) outside a residence, under a door to a residence, on a vehicle, or similar.
- Telephoning a consumer whose contact information was gained from a referral or purchased lead list. Calls based on referrals. If a consumer/client would like to refer a friend or relative to an agent, the agent may provide contact information, such as a business card, to the consumer/member so they may give it to the friend or family member. In all cases, a referred consumer needs to contact the agent directly. If the agent has been offered a mailing address, they may provide information via direct mail as it is not a form of unsolicited contact.
- Follow up contact via telephone with a consumer who attended a marketing/sales or educational activity/event or to whom a marketing item was mailed, even if the consumer requested the item.
- Contacting, for the purpose of marketing a product or plan, any former client who disenrolled or current client in the process of voluntarily disenrolling.

Agent compliant activities

Agents **may** conduct the following activities:

- Contact clients they personally enrolled to promote other Medicare plan types, (e.g., contact their Prescription Drug Plan (PDP) clients to market a Medicare Advantage Prescription Drug (MA-PD) plan and discuss plan benefits.
- Contact **their clients** to market educational events.
- Call consumers who have expressly given PTC, for example, by filling out a BRC. This permission applies only to the entity from which the individual requested contact, for the duration of that transaction, for the scope of product, (e.g., MA-PD plan or PDP), previously discussed, or indicated in the reply card.
- Return phone calls or messages, as these are not unsolicited
- Contacting a consumer who submitted a business reply card (BRC). Telephonic contact is prohibited if the consumer did not provide a telephone number or the telephone number provided is invalid.
- Contacting a consumer who submitted an online contact form.
- Following up with a consumer who requested a sales kit either in-person at a marketing/sales event, online, telephonically, or by BRC (Note: permission must be obtained at the time the kit was requested).