



LOCAL HELP FOR PEOPLE WITH MEDICARE

Ask SHIP

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Sarah Reimmuth

Q: A man came to my door and told me he could sell me a Medicare Advantage plan that would save me hundreds of dollars. He said I would be able to see any doctor I want. Should I switch my plan?

New rules beginning in 2009 have changed the way insurance companies can tell you about or attempt to sell their insurance plans.

The general rule is that Medicare Advantage and Part D Drug plan sponsors (insurance sales people) may not market through unsolicited contacts. This means that they may not approach a client with the intent to sell without being asked.

Actions that are no longer allowed include:

- Door to door solicitation
- Approaching clients in common areas (i.e., parking lots, hallways, lobbies, etc.)
- Unsolicited telephone or email contact (unless you have provided them your email address)

These rules do not apply to insurance agents selling Medicare supplement insurance, also known as Medigap.

Plan sponsors are still allowed to send unsolicited mail that follows the new guidelines. These sales

leads may be generated through mailings, websites, advertising and public sales events.

Permission to be contacted is to be considered short-term and event-specific. This means that an invitation to be contacted is not open-ended and does not extend to future contacts. All business reply cards must be approved by Medicare before use.

Personal/individual marketing appointments typically take place in the client's home, however, these appointments can also take place in other locations such as a library or coffee shop. If an appointment is set by a sponsor with a client, the sponsor is allowed to:

- Distribute plan materials
- Discuss various plan options
- Provide educational content
- Provide and collect enrollment forms.

Even if there is a scheduled appointment, the sponsor still may NOT:

- Discuss plan options that were NOT agreed to by the client
- Market non-health care related products (such as annuities and life insurance).

The scope of the appointment must be agreed to by the client before the appointment. Agents can document the scope of an appointment in writing with a scope of appointment form or by recording a phone call prior to the

meeting. If other products need to be discussed at the client's request, a new scope of request form must be completed.

Telephone contacts have similar guidelines. Plan sponsors may do the following:

- Contact clients who submit enrollment applications to conduct quality control and agent/broker oversight activities. Scripts must be approved by Medicare
- Contact their members or use third parties to contact their current members.
- Conduct outbound calls to existing members to conduct normal business related to enrollment in the plan
- Call former members for quality improvement purposes.
- Call clients who have expressly given permission for a plan or sales agent to contact them
- Return client phone calls or messages as these are not unsolicited.

Sponsors may NOT:

- Conduct or allow unsolicited contacts, including outbound calls to clients
- Discuss non-health care related products even when the phone call was requested by the client

If you suspect a sponsor of abusing these rules, contact the Indiana Department of Insurance at 800-622-4461 or call SHIP at 1-800-4800.

SHIP is a free, unbiased counseling program provided by the Indiana State Department of Insurance. For assistance, call your local SHIP site to make an appointment or call the state office at 1-800-452-4800 to obtain a list of local SHIP sites.