



EDC  
Agent Guide

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This Guide is intended for agent use only.

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### Section 1: Introduction

Welcome to UnitedHealthcare

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## Section 1: Introduction

### Welcome to UnitedHealthcare

Thank you for doing business with UnitedHealthcare! We rely on exceptional agents to help us achieve our mission of providing innovative health and well-being solutions that help Medicare consumers live healthier lives.

#### Here to help you succeed

One tool available is the *Agent Guide* –a comprehensive resource containing the information you need to conduct business with UnitedHealthcare efficiently and compliantly.

#### Compliance and integrity

We expect our agents to share our commitment to compliance and to act with integrity by putting the best interest of consumers first in everything they do on behalf of UnitedHealthcare, so we have integrated compliance guidelines into each section of the guide.

#### Easy access

An electronic version of this guide is available on **Jarvis** and is updated regularly. We welcome comments, suggestions and recommendations for additional content. – simply share your feedback with your UnitedHealthcare Agent Manager.

Consider this guide your resource to serve consumers. We are proud to be your strong, stable health coverage choice and strive to provide you with a hassle-free experience and members with a superior health care experience.

Sincerely,



Tim Harris  
Senior Vice President, External Distribution Channel  
UnitedHealthcare Medicare & Retirement

## Section 1: Introduction

### Using this Guide

This guide is used to communicate UnitedHealthcare Policies and Procedures. Our policies and procedures provide guidance to ensure compliant and ethical conduct, professionalism, and knowledge of required business processes and responsibilities. Agent guides are confidential and proprietary property of UnitedHealth Group and may not be distributed, reproduced, republished, transmitted, displayed, broadcasted, or otherwise exploited in any manner without express written permission of UnitedHealthcare.

The *Agent Guide* has been developed for use by all National Marketing Alliance (NMA) agents and solicitors. Throughout the guide the words “agent” and “you” are used to refer to any NMA agent or solicitor. In instances where information relates specifically to an agent, but not a solicitor or vice versa, it will be clearly noted.

- Agent – a licensed, certified, and appointed (if applicable) representative who is contracted with UnitedHealthcare through an NMA.
- Solicitor – an appropriately licensed captive agent employed by or independently contracted with an External Distribution Channel (EDC) agent, appointed (if applicable) by the Company, and is free to exercise his or her own judgment as to the time and manner of performing services pursuant to a direct or indirect agreement between the Solicitor Agent and the EDC agent.

### Section 2: How do I Get Started?

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## Section 2: How do I Get Started

### On-Boarding

You must be appropriately contracted, licensed, appointed (if applicable), and certified in order to market or sell any UnitedHealthcare Medicare Solutions product.

### Contracting

You must align under an NMA or eAlliance organization approved and contracted with UnitedHealthcare. You may only align in one hierarchy at any given time.

Your NMA or eAlliance organization initiates the contract submission process by providing contracting paperwork (via hardcopy, electronic copies, or a link to either an internal or external on-line contracting system) to you to obtain necessary on-boarding information and documentation. Your NMA or eAlliance is responsible for verifying the accuracy and completeness of the contracting packet paperwork.

A complete contracting packet contains:

- Agreement (not applicable for solicitor) – First and signature pages, at a minimum, must be submitted. Note: The signature date must be within 30 days of the date received by Agent Lifecycle Management (ALM).
- Appointment Application – Signed and dated. Note: The signature date must be within 30 days of the date received by ALM.
- Background Check Authorization Form – Signed and dated. Note: The signature date must be within 30 days of the date received by ALM.
- Errors & Omissions Attestation of Coverage within the Appointment Application – Signed and dated. Note: The signature date must be within 30 days of the date received by ALM.
- NMA Relationship Hierarchy Addendum – With all required signatures and dated. Note: The signature date must be within 30 days of the date received by ALM.
- W-9 Form (not applicable for solicitor) – signed and dated. Note: The signature date must be within 30 days of the date received by ALM.

### Licensing

You must be licensed in your resident state and in all states for which you have requested appointment. You are responsible for maintaining an active license including all educational requirements. ALM will verify license status using NIPR (National Insurance Producer Registry). Failure to maintain valid licensing is grounds for not-for-cause termination.

### Party Identification (Party ID)

You are assigned only one Party ID in your lifetime with UnitedHealthcare. The Party ID links all subsequently issued writing numbers to you.

ALM must receive a complete contracting packet in order to assign you a Party ID. If an incomplete packet is received, ALM will suspend the contracting process and notify the applicable NMA or eAlliance, via email identifying the missing, incomplete, and/or outdated items. The contracting process will resume when the packet is complete.

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Upon receipt and review of a complete contracting packet, ALM will assign the Party ID and email you and the applicable NMA or eAlliance a Party ID Notification Letter.

### **Certification**

You must complete certification requirements in order for ALM to process the appointment request. (Refer to the Certification section for details.)

### **90 Day Requirement**

The Party ID Notification Letter includes instructions for accessing the learning management system (Learning Lab) within **Jarvis**. You must successfully pass all pre-requisite assessments, within 90 days of the date of the Party ID Notification Letter, in order to move forward in the contracting process. Note: Agents transferring AHIP certification credit or passing Medicare Basics are given credit for Medicare Advantage plans, Prescription Drug Plans, and Medicare Supplement Insurance plans product certification pending successful completion of the remaining pre-requisite assessments.

### **Failure to Certify Timely**

The contracting process terminates if you fail to complete the certification requirement within 90 days of the date of the Party ID Notification Letter. You may reapply without a waiting period by submitting a new contract packet.

### **Background Investigation**

#### **Initial On-Boarding**

You must pass a background investigation in order for ALM to process the appointment request. The investigation is ordered at the time the Party ID is issued and may be ordered when a new contract packet is received based on when the last investigation occurred.

A background investigation collects information regarding an agent's history of criminal charges, credit history (when applicable and allowed by law), insurance licensing history, Office of Inspector General records, and General Service Administration excluded party records. Results are examined against predefined criteria. A Pass-Fail scoring methodology is employed.

Pass – the contracting process continues

Fail – the results of the background investigation are reviewed by a senior ALM analyst. If the review supports the initial result, the contracting process terminates and you receive notification of the decline to appoint due to background investigation. The notification letter includes appeal submission instructions. (Refer to Appeal of Denial Due to Background Investigation section).

#### **Periodic Investigation**

On a periodic basis, a background investigation is ordered for all non-employee agents (all levels), solicitors, and principals who have an active Party ID.

- A notification letter is sent to you informing you of the upcoming background investigation. The notification letter provides instructions on how to notify ALM if you do not authorize the investigation.

## Section 2: How do I Get Started

- Agents, solicitors, and principals who do not authorize the background investigation are immediately terminated not-for-cause upon such notification to ALM (this termination includes agencies of these principals, if the principal does not authorize the background investigation).
- The periodic background investigation review follows the same process outlined in the Initial On-Boarding section above, except credit history information is not collected. An active agent who fails the periodic background process will receive a 30-day termination notice, regardless of channel or level (solicitors included).
- Proactive Background Review  
Effective 08/01/2017, to expedite the periodic background investigation process, an investigation may be paused temporarily in order to obtain clarification of data reported by the background investigation vendor.
  - A communication is sent to the agent requesting the necessary documentation for the agent to pass the review. You must respond to the request within 10 days to complete the background review process.
  - If you miss the deadline or chooses not to participate in the process, the background review will proceed as usual, which may result in a failed background review.
  - Agents who do not pass the review are entitled to the standard two-tiered appeal process.

On a monthly basis, ALM accesses the Office of Inspector General (OIG) –U.S. Department of State Health & Human Services website ([www.oig.hhs.gov/exclusions](http://www.oig.hhs.gov/exclusions)) and downloads the list of excluded individuals/entities. The list is analyzed against the active agent population to ensure active agents have not appeared on the list since the previous month. Any agent or agency appearing on the list is terminated in accordance with their agreement.

On a monthly basis, ALM access the US General Services Administration (GSA) housed in the System for Aware Management (SAM) website to download a list of excluded individuals/entities. The list is analyzed against the active agent population to ensure active agents have not appeared on the list since the previous month. Any agent or agency appearing on the list is terminated in accordance with their agreement.

### Appeal of Decline Due to Background Investigation

A two-tier appeal process is offered to agents who are declined due to background investigation results.

Appeals must be in writing, include your name and address, and provide detailed information explaining the mitigating circumstances regarding the findings of the background investigation, including correction of errors or explanation of extenuating circumstances. An optional Background Appeal Form is available on **Jarvis**, may be used to submit the appeal documentation.

All appeal documentation is uploaded to the agent's file in the document management system. Appeals may be mailed, faxed, or emailed to the Agent Lifecycle Management Department:

UnitedHealthcare  
Attention: Agent Lifecycle Management

## Section 2: How do I Get Started

MN006-700E  
9800 Health Care Lane  
Minnetonka, MN 55343  
Fax: 1-888-205-7375  
Email: [UHPCred@uhc.com](mailto:UHPCred@uhc.com) (preferred method)

### First-Level Appeal – Tier I

Initial, Tier I, appeals are reviewed and determinations made by designated ALM staff specifically trained to review background investigation results. If the ALM analyst who made the original decision to decline the agent based on the background investigation results also conducts the Tier 1 appeal review, in order to obtain an impartial decision the analyst will solicit input from other analysts trained in background investigation reviews or a review by leadership will be requested.

- The ALM specialist will review the background investigation results, appeal letter and attachments, and other pertinent documents and make a determination to approve or deny the appeal.
- If the appeal is approved, the contracting process will resume. New documents may be required if they no longer meet signature date requirements.
- If the appeal is denied, a denial notification letter is sent via email and postal mail to you that describes your right to a second appeal and the process. The applicable NMA or eAlliance will receive a copy of the notification letter.

### Second-Level Appeal – Tier II

An appeal submitted following a Tier I denial is considered by the Background Tier II Appeal Committee. The committee includes senior-level distribution operations and field sales representatives; meets, as needed; and maintains meeting notes (used to document relevant aspects of the meetings including attendees, appeals reviewed, decisions rendered and by whom).

- Tier II appeals must contain additional information explaining what was missed in the initial reviews and/or errors regarding the background investigation not revealed previously.
- The Background Tier II Appeal Committee reviews the appeal and pertinent documents, renders a decision, and forwards the appeal documentation with noted decision to ALM.
- ALM facilitates processing and documenting the appeal, including the communication of the final decision to you and the applicable NMA or eAlliance.
- If the appeal is approved, the contracting process will resume. New documents may be required if they no longer meet signature date requirements.
- If the appeal is denied, a denial notification letter is sent via email and postal mail to you. The applicable NMA or eAlliance receives a copy of the notification letter.
- The decision of the Background Tier II Appeal Committee is final and may not be appealed.

### Waiting period to Submit a New Contract Packet

An agent who is declined due to background investigation results must wait one year from the date of their notification letter to submit a new contract packet. If you appeal the decline, you must exhaust both appeal level options and wait one year from the date of the original background decline date to submit a new contract packet.

## Section 2: How do I Get Started

### **Errors and Omissions (E&O)/Professional Liability Insurance**

Each non-employee agent representing UnitedHealthcare must carry and maintain continuous E&O/Professional Liability insurance coverage and provide proof of coverage (e.g. carrier's declaration page) upon request. Failure to carry and maintain proof of E&O/Professional Liability coverage is grounds for termination.

The following guidelines apply:

- The policy must specifically state "Errors and Omissions" or Insurance Agent/Broker Professional Liability.
- The declaration page or certificate of insurance must state the policy number, policy limits, policy period (issue and expiration dates), and carrier.
- Minimum insurance is required. E&O/Professional Liability insurance is required at a minimum of \$1,000,000 per claim and/or \$1,000,000 aggregate.
- E&O/Professional Liability for a corporation should state who is covered by the policy (e.g., the corporation, principal, and/or its employees or subcontractors.)
- Blanket E&O/Professional Liability coverage must explicitly state who the policy covers:
  - ~ Entities that have blanket E&O coverage for their down-line agents may provide a non-carrier produced listing of those covered, as long the down-line is classified as an agent or solicitor level. The listing must be on the entity's letterhead, provide the agent or solicitor's full legal name, and be signed by the entity's principal. Agents or solicitors can be added by providing either an update to the original listing or a separate letter.
  - ~ General Agent (GA) level and above producers must have their own E&O coverage or their name must appear as the certificate holder (or similar) on the confirmation of insurance of a blanket policy.
  - ~ Contracted entities may provide E&O/Professional Liability coverage by submitting a non-carrier produced listing of covered individuals. The listing must be on the business entity's letterhead, provide covered individual's full legal name and signed by the entity's principal. EDC entities may provide coverage for their down-line employees, affiliated producers, agents, and/or subcontractors who are contracted at the individual agent level.
- E&O/Professional Liability for a principal covers the corporation, but not specifically the employees or subcontractors of the corporation.
- If you are not insured by a corporate policy, you may have individual E&O/Professional Liability insurance. The policy should be in your name.
- Submission of E&O/Professional Liability coverage documentation is not required unless specifically requested and may be sent to [uhpcred@uhc.com](mailto:uhpcred@uhc.com).

### **Appointment**

You must be licensed and appointed (if applicable) in each state in which you represent UnitedHealthcare in the marketing and/or sale of UnitedHealthcare Medicare Solutions products.

When all contracting and certification requirements are met, ALM will submit state appointment requests to each state requested on the Relationship Hierarchy Addendum.

### **On-Boarding and Agent Readiness Fees**

Appointment Fees (EDC Only) Effective 04/19/2013

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- UnitedHealthcare pays all appointment fees upon submission to each state.
- All resident state appointment fees are the responsibility of UnitedHealthcare
- Non-resident state appointment fees on any new or renewal appointments as of January 2013 are the responsibility of the entity requesting appointment (i.e. agent, solicitor, and applicable up-line levels). Note: For a solicitor, the up-line that receives commissions on the solicitor's sales is responsible for the solicitor's non-resident appointment fees.
- Fees for which the entity requesting appointment is responsible are collected by UnitedHealthcare via a debit against the respective entity's commissions or override as applicable.
- Non-resident state appointment fees in states where appointment fee collection from an agent is prohibited are exempt from this requirement.

### **Annual Sales Production Evaluation Period Administrative Fee** Effective 04/01/2021

Any EDC agent/agency (not including solicitors or eAlliance) who had an active writing number at any time during the recurring 12-month evaluation period (i.e. the period begins the first full month an agent's writing number was issued\* and ends 12 months later) and did not write at least one MA plan, PDP, or Medicare Supplement plan enrollment application (i.e. submitted and approved active member application) will be assessed a \$150 administrative fee.

## Writing Number (Agent ID) Notification

You receive a writing number (Agent ID) as part of your on-boarding process. An active writing number allows you to access marketing and sales materials on Jarvis, must be indicated on each enrollment application written by you, and is used to accurately credit you with the sale of a policy. Once the appointment request is submitted to the state, you are set to active status in the contracting system, a writing number is issued and your Agent Agreement is executed with the Chief Sales Distribution Officer's signature. A Welcome Letter, which contains your writing number and the first page and the executed signature page of your Agent Agreement, if applicable, is emailed to you with a copy of the Welcome Letter sent to your NMA or eAlliance. All agents are expected to confirm state appointment approval via Jarvis prior to marketing/selling any product.

## Agent/Agency Level, Alignment, or Channel Change Requests

For all changes in contracting level, hierarchy, or channel, residual override commissions are retained by the hierarchy in place at the time of the original sale and do not follow the moving agent/agency.

- Release and Notice of Intent Requirements  
When an agent/agency contracted with UnitedHealthcare wants to align under a new hierarchy or change channels, a Letter of Release or Notice of Intent is required unless the change results in an employment relationship with UnitedHealth Group or its affiliate or a telesales vendor contracted with UnitedHealthcare.
- ~ Release Process
  - For an EDC agent/agency, only the highest contracted entity in the agent/agency's current hierarchy (or UnitedHealthcare if applicable) may, at its discretion, provide the agent/agency with a full release to leave the hierarchy (even if the agent/agency self-terminated within six months of submitting new contract paperwork).

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- Upon receipt of the release, you may move to a new channel or hierarchy. While there is no waiting period to contract under a new hierarchy or channel, ALM does not process contracting change requests during a blackout period that runs annually September 1 through December 31. The new contracting packet, which must include the Letter of Release, must be received by ALM no later than August 31 in order to align under the new hierarchy or channel by the start of the Annual Enrollment Period (AEP).
- You may only move to a contracting level equal to or lower than their current contract level and must stay at that level for a minimum of one year.
- If the current NMA (or highest upline agency or UnitedHealthcare, if applicable) will not provide a release, you may terminate your agreement with UnitedHealthcare and contract under a different NMA or field-based channel, at the same or lower contract level no less than six months after your termination effective date. Normal contracting rules apply. Refer to the Termination Section for termination details and treatment of the agency's down-line.
- ~ Notice of Intent Process
  - Agencies (GA and above) are not permitted to use the Notice of Intent Process.
  - You must be in your current channel and under your current NMA and/or in your current hierarchy level for at least six months prior to submitting a notice of intent and can only change channels or EDC or IMO hierarchy once every 12 months from the effective date of your current agreement or hierarchy change, whichever occurred most recently.
  - You must email your notice of intent to UnitedHealthcare at [shcerts@uhc.com](mailto:shcerts@uhc.com) and the top level of your current hierarchy, indicating the name of the up-line under which you intend to move or if you are moving to the ICA or IMO channel.
  - Upon receipt of the notice of intent, UnitedHealthcare will send a reply letter to you, with a copy to the current NMA and intended NMA or applicable UnitedHealthcare sales leader if moving to the ICA or IMO channel, indicating the date when the six-month waiting period expires.
  - A six-month waiting period begins on the date UnitedHealthcare receives the email. During the waiting period, you and your down-line, if applicable, may continue to write UnitedHealthcare business. If, during the six-month waiting period, you decide to move to a different entity than indicated in the notice of intent, you must submit a new notice, which begins a new six-month waiting period.
  - Once the notice of intent is submitted to the current up-line, the current up-line may not make changes to the transferring agent's hierarchy unless the transferring agent provides written notice to make changes.
  - ALM must receive required contracting paperwork (i.e. Appointment Application and Relationship Hierarchy Addendum, and, only if moving level, a new contract agreement) within 30 days of the expiration of the waiting period except as noted below.
    - ALM does not process contracting change requests during the Blackout Period (September 1 through December 31). Therefore, in order to move to a new channel/hierarchy by the start of an Annual Enrollment Period, the new contracting packet must be received by ALM before the blackout period begins September 1.
    - If ALM does not receive required paperwork within the required timeframe, you must submit a new notice of intent, which begins a new six-month waiting period.

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### **Non-Employee Field-Based Agent or Agency (GA and above) Hierarchy Change or Move to Different Field-Based Channel**

To align under a new hierarchy or move to a different field-based channel you must be active with UnitedHealthcare, submit a Letter of Release or Notice of Intent (not available to agencies GA and above) as required, and when aligning under a new NMA or IMO, the new NMA or IMO must be active with UnitedHealthcare.

- Agent/Agency Agreement and Writing Number
  - You may only move to a contracting level equal to or lower than your current contract level and must stay at that level for a minimum of one year before being eligible for a promotion.
  - A new agent/agency agreement is not required unless you are changing levels or channels.
  - The new NMA or UnitedHealthcare sales leader for moves to the ICA or IMO channel must submit required paperwork to ALM, which may include a signed agreement, Relationship Hierarchy Addendum, and W9.
  - If release/notice of intent and contracting requirements are met, ALM will deactivate your current writing number, issue a new writing number, and execute a new Agent or Agency Agreement, if applicable, with the Chief Sales Distribution Officer's signature. A Welcome Letter containing the new writing number and copy of the executed Agent or Agency Agreement, if applicable, is emailed to you, with a copy of the Welcome Letter sent to the new NMA, IMO, or applicable UnitedHealthcare sales leader. Note: Commission will not be paid on any enrollment when an inactive writing number was indicated on the application.
- Treatment of Down-line Entities
  - It is not required for the down-line agents and agencies to submit separate notices of intent.
  - The new up-line must submit required paperwork (i.e. Appointment Application and Relationship Hierarchy Addendum, and, only if moving level, a new contract agreement) for each down-line entity moving with the agent/agency.
  - A down-line entity must contract at a level equal to or lower than their current contract level.
  - If paperwork requirements are met, the down-line entity's current writing number is inactivated, and a new writing number is issued. Note: Commission will not be paid on any enrollment when an inactive writing number was indicated on the application.
  - If ALM does not receive required paperwork for a down-line entity within the required timeframe, the down-line entity will be reassigned to the next immediate level in their current NMA hierarchy.

### **Non-Employee Field-Based Agent Move to ISR or Telesales (Internal or Vendor) Channel**

Any non-employee field-based agent who is hired by UnitedHealth Group or its affiliate for an internal sales role (e.g. ISR or Telesales) or is hired by a telesales vendor contracted with UnitedHealthcare is deemed released from their prior hierarchy as of their date of hire with UnitedHealth Group or its affiliate or the vendor. The agent's contract must be terminated prior to the date of hire.

## Section 2: How do I Get Started

### Servicing Status and Successor Programs

#### **Servicing Status - Non-Active Renewable Eligible Non-Employee Agent** (Effective 01/01/2014)

Non-Employee agents terminated not-for-cause must enter servicing status prior to the effective date of their termination in order to receive renewal commission for Medicare Advantage (MA) plan and Prescription Drug Plan (PDP) with an effective date on or after 01/01/2014. You may receive in your not-for-cause termination notification letter an invitation from UnitedHealthcare to enter into a Servicing Status agreement.

- To enter servicing status, you must, (prior to your not-for-cause termination effective date):
  - ~ Sign and return the **Intent to Service** form
  - ~ Hold and maintain thereafter an active resident state license
  - ~ Have and maintain thereafter an active resident state UHIC appointment
  - ~ Pass the Medicare Basics and Ethics and Compliance certification assessment with a score of 85% or better within six attempts. Thereafter, you must certify on an annual basis prior to January 1.
- Servicing status agents **are not** required to carry/maintain E&O/Professional Liability insurance coverage and **are not** subject to periodic background investigations.
- Servicing status agents **are not** active and **must not** market UnitedHealthcare Medicare products or write new business. You may return to active status by re-contracting and meeting all active agent requirements, including certification.
- While in servicing status, you are expected to continue providing service to the member.
- Servicing status will terminate effective the date you fail to meet servicing status requirements (e.g., no longer has an active license or fails to meet certification requirements). Renewal commissions for MA plan and PDP with an effective date on or after 01/01/2014 will permanently cease as of the servicing status termination date.

#### **Successor Agent Program – Renewal Eligible Non-Employee** (effective 08/01/2016)

- When all eligibility requirements are met, contracted non-employee agents may request UnitedHealthcare transfer their entire UnitedHealthcare book of business to a successor agent, who agrees to accept and service the original agent's book of business and oversee down-line agents, where applicable.
- Eligible products include all UnitedHealthcare Medicare products and states except for SecureHorizons Medicare Supplement Insurance Plans and Golden Rule plans.
- Original Agent Eligibility and Terms of Agreement
  - ~ Original Agent must be a renewal eligible agent with UnitedHealthcare as defined below:
    - For MA plan and PDP enrollments with effective dates prior to 01/01/2014, Original Agent must be in any status other than termed for cause or death;
    - For MA plan and PDP enrollments with effective dates on or after 01/01/2014, Original Agent must be active (and appropriately licensed, appointed, and certified) or in servicing status (and appropriately licensed, appointed, and certified);
    - For Medicare Supplement Insurance enrollments made in any year, Original Agent must be in any status other than termed for cause or death.

## Section 2: How do I Get Started

- ~ Original Agent must not be the subject of an open complaint investigation. Open complaint investigations must be closed (refer to the Agent Complaint Process section for details) prior to requesting a successor agent agreement.
- ~ Original Agent must be in the EDC (solicitors are ineligible), IMO or ICA channel.
- ~ Original Agent must sign the “UnitedHealthcare Successor Agent Agreement” including without limitation the following terms:
  - o Original Agent’s current Agent Agreement and Writing ID(s) will be terminated.
  - o Original Agent acknowledges that the transfer of their book of business is contingent on their down-line hierarchy, if any, also being transferred to Successor Agent. Standard Release Rules apply.
  - o Original Agent’s rights related to their entire, current UnitedHealthcare business, including renewal commissions and up-line payments, if any, will cease upon the effective date of the transfer.
  - o Original Agent’s liabilities and obligations related to their business that is not eligible to be transferred will continue and survive the termination of their Agent Agreement.
  - o Original Agent’s current debt related to the transferred business is to be paid in full or transferred to Successor Agent upon transfer of the book of business. Debt repayment plans are not allowed.
  - o If Original Agent is the assignee of another agent’s commission, the assignment of commissions agreement will be terminated.
- Minimum Successor Agent Eligibility and Terms of Agreement
  - ~ Successor Agent must have an active contract (i.e. Successor Agent must not be in servicing status at the time they enter the successor agent agreement) with UnitedHealthcare. Standard release rules apply.
  - ~ Successor Agent must be licensed and appointed (if applicable) in each state in which a currently enrolled MA Plan or PDP member resides and certified in the product type(s) (e.g. MA plan, PDP, DSNP, CSNP) in which the members are enrolled.
  - ~ Successor Agent must be of an equal or higher level than the highest level at which the original agent had been contracted in order to receive the original agent’s full book of business.
  - ~ Successor Agent must not be the subject of an open complaint investigation. Open complaint investigations must be closed (refer to the Agent Complaint Process section for details) prior to requesting a successor agent agreement.
  - ~ Successor Agent must sign the “UnitedHealthcare Successor Agent Agreement” and agree to the following terms:
    - o Successor Agent agrees to accept and service Original Agent’s entire eligible book of business and oversee, where applicable, down-line agents transferred to Successor Agent’s hierarchy to receive renewal commission/up-line payments.
    - o Successor Agent will take on any future charge back debt related to the transferred book of business.
  - ~ Upon transfer, Successor Agent’s Agent Agreement (contract) with UnitedHealthcare will govern the book of business.
- Approval Process
  - ~ All requests to transfer an original agent’s UnitedHealthcare book of business to a successor agent are subject to prior review and approval by UnitedHealthcare.

## Section 2: How do I Get Started

- ~ UnitedHealthcare approves or disapproves a request to transfer within approximately 30 days of receipt of the signed interest form. If approved, a “UnitedHealthcare Successor Agent Agreement” between Original Agent and Successor Agent may be executed.
- ~ Successor agent agreements are effective immediately upon full execution (i.e. the date UnitedHealthcare signs the agreement).
- ~ UnitedHealthcare reserves sole discretion to deny any agreement up until it is a fully executed contract.
- ~ UnitedHealthcare reserves sole discretion to remove Successor Agent as Agent of Record (AOR) and to discontinue paying the agent if it determines that Successor Agent is not servicing the members or overseeing down-line agents, if any, as required by the Agent Agreement.
- UnitedHealthcare, at its sole discretion, reserves the right to rescind the Successor Agent Program at any time without notice.

### **Deceased Agent Successor Program – Renewal Eligible Non-Employee** (effective 08/01/2016)

When all eligibility requirements are met, UnitedHealthcare will work with a deceased contracted non-employee agent’s next of kin, estate, and/or up-line to establish a successor agent, who agrees to accept and service the members within the deceased agent’s book of business and oversee down-line agents, as applicable. In all cases, transfer of a deceased agent’s book of business is subject to UnitedHealthcare’s prior review and approval.

- Eligible products include all UnitedHealthcare Medicare Solutions products and states except for SecureHorizons Medicare Supplement Insurance Plans and Golden Rule plans.
- Deceased Agent Successor Program Qualifications and General Considerations
  - ~ Deceased Agent must have been a renewal eligible agent with UnitedHealthcare, as defined below, at the time of death (solicitors are ineligible):
    - For MA plan and PDP enrollments with effective dates prior to 01/01/2014, Deceased Agent must have been in any status other than termed for cause or death;
    - For MA plan and PDP enrollments with effective dates on or after 01/01/2014, Deceased Agent must have been active (and appropriately licensed, appointed, and certified) or in servicing status (and appropriately licensed, appointed, and certified);
    - For Medicare Supplement Insurance enrollments made in any year, Deceased Agent must have been in any status other than termed for cause or death.
  - ~ Deceased Agent must have been in the EDC, IMO, or ICA channel at the time of death.
  - ~ Under normal operations, the following occurs upon notification of an agent death:
    - Deceased Agent’s Writing ID(s) will be termed for death.
    - If Deceased Agent’s book is the assignee of another agent’s commission, the assignment of commissions agreement will be terminated.
- Successor Agent Eligibility and Terms of Agreement
  - ~ Successor Agent must have an active contract (i.e. Successor Agent must not be in servicing status at the time they enter the successor agent agreement) with UnitedHealthcare. Standard release rules apply.
  - ~ Successor Agent must be licensed and appointed (if applicable) in each state in which a currently enrolled MA Plan or PDP member resides and certified in the product type(s) (e.g. MA plan, PDP, DSNP, CSNP) in which the members are enrolled.

## Section 2: How do I Get Started

- ~ Successor Agent must be of an equal or higher level than the highest level at which the Deceased Agent was contracted in order to receive the original agent's full book of business.
- ~ Successor Agent must not be the subject of an open complaint investigation. Open complaint investigations must be closed (refer to policy Agent Complaint Process section for details) prior to proceeding with a successor agent agreement.
- ~ Successor Agent must sign the "UnitedHealthcare Successor Agent Agreement" and agree to the following terms:
  - o Successor Agent agrees to accept and service Deceased Agent's entire eligible book of business and accept and oversee, where applicable, down-line agents transferred to Successor Agent's hierarchy to receive a renewal commission/up-line payments. UnitedHealthcare reserves sole discretion to remove Successor Agent as Agent of Record (AOR) and to discontinue paying Successor Agent if it is determined that Successor Agent is not servicing the member.
  - o Successor Agent agrees that outstanding debt related to the transferred business will also be transferred to Successor Agent. They also will take on any future charge back debt related to the transferred book of business.
- ~ Upon transfer, Successor Agent's Agent Agreement (contract) with UnitedHealthcare will govern the book of business.
- Approval Process
  - ~ UnitedHealthcare must approve all requests to transfer a deceased agent's UnitedHealthcare book of business to a successor agent.
  - ~ UnitedHealthcare must receive notification, including a death certificate and/or obituary, within 60 days of Deceased Agent's death. If UnitedHealthcare is not properly notified within 60 days of Deceased Agent's death, UnitedHealthcare may take on the role of servicing Deceased Agent's book of business or find a successor agent.
  - ~ Upon notification of death, next of kin/estate/up-line has 90 days from the date of death to identify a potential successor agent who agrees to the terms of the "UnitedHealthcare Successor Agent Agreement."
    - o UnitedHealthcare will work first with Deceased Agent's next of kin/estate to identify a successor agent.
    - o If next of kin/estate does not wish to help identify a successor agent, UnitedHealthcare will next work with Deceased Agent's up-line to identify a successor agent.
    - o If no successor agent is established and/or no successor agent agreement is signed within 90 days from the date of death, UnitedHealthcare may take on the role of servicing Deceased Agent's book of business or find an alternate successor agent.
  - ~ UnitedHealthcare will try to approve or disapprove the request to transfer within approximately 30 days of receipt of the signed interest form. If approved, a "UnitedHealthcare Successor Agent Agreement" may be executed with Successor Agent.
  - ~ Successor agent agreements are fully executed as of the date UnitedHealthcare signs the agreement and effective the date noted on the agreement. UnitedHealthcare, at its sole discretion, reserves the right to deny any agreement up until it is a fully executed contract.
- UnitedHealthcare, at its sole discretion, reserves the right to rescind the Deceased Agent Successor Program at any time without notice.

## Section 2: How do I Get Started

### Successor Agent Program Appeal Process

An appeal process is offered to agents who are declined for the Successor Agent program.

- Appeals must be in writing, include your name and address, and provide detailed information explaining the rationale for appeal, including information on how the members will be serviced by engaging in the Successor Agent program. Appeals may be mailed, faxed, or emailed to Commissions:

UnitedHealthcare Medicare & Retirement  
Attention: Commissions - Successor Agent  
MN006-E800  
9800 Health Care Lane  
Minnetonka, MN 55343  
Fax: 1-866-761-9162  
Email: [sh\\_commissions\\_administration@uhc.com](mailto:sh_commissions_administration@uhc.com) (preferred method)

- Appeals are forwarded for consideration to the Successor Agent Approval Board (SAAB), which includes senior-level distribution operations and field sales representatives; meets weekly, as needed; and maintains meeting agendas and minutes (used to document relevant aspects of the meetings including attendees, appeals reviewed, decision rendered and by whom).
  - ~ The SAAB reviews the appeal and pertinent documents, renders a decision, and forwards the appeal documentation with noted decision to Commissions.
  - ~ Commissions facilitates processing and documenting the appeal, including the communication of the final decision to the applicable agent(s).
  - ~ If the appeal is approved, the Successor Agent process resumes. New documents may be required if they no longer meet signature date requirements per the Successor Agent process.
  - ~ If the appeal is denied, a denial notification letter is sent via email to the agent(s).
  - ~ The decision of the SAAB is final and may not be appealed again.

### Certification Program

The UnitedHealthcare Medicare Solutions certification program will meet or exceed agent training and testing requirements issued annually by CMS. Certification materials are reviewed and updated annually or as new regulations are released.

Certification materials, which consist of training modules and assessments, for the upcoming plan year are generally available in late June or early July. Once upcoming plan year certification materials are posted, current year certification materials are unavailable; therefore, an individual who is not certified for the current year, must become certified in the product for the upcoming plan year in order to market and sell the current year's product.

Certification consists of the following elements:

- Pledge of Compliance and Conflict of Interest (COI) attestations.
- Prerequisites include Medicare Basics, Ethics and Compliance, and AARP 101 (or similar).

## Section 2: How do I Get Started

- Product certification may be offered in non-special needs Medicare Advantage (MA) Plans; Dual (DSNP), Chronic (CSNP), Institutional\*, (ISNP) and Institutional Equivalent\* (IESNP) Special Needs Plans; Senior Care Options\* (SCO) plans; Medicare Supplement Insurance plans; and stand-alone Prescription Drug Plans (PDP). \*Certification in ISNP, IESNP, and SCO product is by invitation only.

Each prerequisite and product assessment has a minimum passing score of 85%. Six attempts are permitted to pass an assessment. If you fail to pass a prerequisite assessment within the allotted six attempts, you are prohibited from marketing/selling any product in the UnitedHealthcare Medicare Solutions portfolio for the applicable plan year. If you fail to pass a product assessment within the allotted six attempts, you are prohibited from marketing/selling that product for the applicable plan year. Additionally, an individual cannot attempt to complete AHIP upon failure of UnitedHealthcare Medicare Basics course as a way to avoid the six failure limit.

When you pass or are given credit for the field Medicare Basics assessment, conditional credit is given for product certification in non-special needs MA Plans, Medicare Supplement Insurance plans; and stand-alone PDPs. You must pass the remaining field prerequisite assessments in order to be certified in those products.

### External Vendor Certification Courses

- UnitedHealthcare may accept and give credit for successful completion of a third party's certification program. Gaps in course content remain your responsibility.
- UnitedHealthcare currently accepts and provides partial certification credit to agents who pass the America's Health Insurance Plans (AHIP) annual certification course with a minimum score of 90% within six attempts. To receive credit, you must transfer your passing score **prior** to beginning the UnitedHealthcare certification program for the applicable plan year. Upon successful transfer of a passing score, you are given credit for the field Medicare Basics assessment (see the Certification section above for details). If you fail to pass the AHIP course within six attempts, you are not permitted to restart the certification process through UnitedHealthcare and are not permitted to sell any UnitedHealthcare Medicare Solutions products for the applicable plan year.

You must access certification program materials using your assigned log in IDs and passwords and must take and complete assessments on your own behalf. Individuals are not to use assistance when completing an assessment, including, but not limited to sharing/comparing answers, taking the exam as a part of a group, or using answer keys. Any individual found to have used assistance in completing an assessment will be subject to discipline up to and including termination with cause.

UnitedHealthcare certification materials are produced in written English and Spanish (with the exception of AARP 101 (or similar)) and do not contain audio content. Individuals who are not literate in English may complete certification modules and assessments in a UnitedHealthcare office with an interpreter and proctor present. The proctor must be a UnitedHealthcare employee or a UnitedHealthcare contracted vendor. The use and name of the proctor must be documented. Neither the interpreter nor proctor may provide any assistance in the completing of the assessment.

## Section 2: How do I Get Started

Records relating to course content, module completion, assessment attempts, and assessment scores are electronically maintained by the certification department and retained for at least ten years. Pass/fail records are uploaded to the ALM system.

### Certification Requirements

The individual whose writing number is entered on the enrollment application must be appropriately certified in the product in which the consumer is enrolling at the time of sale. No commission or incentive will be paid on any enrollment application written by an individual who was not appropriately product certified at the time of sale (i.e. an unqualified sale). (Refer to the commission section and compliance and quality assurance section for details.)

Individuals are required to complete the following certifications based on role:

- Servicing status agents must pass upcoming plan year field Medicare Basics and Ethics and Compliance assessments by December 31.

#### Required Electives

- Any individual participating in a formal or informal marketing/sales event must pass the Events Basics assessment for the applicable plan year with a minimum score of 85% within six attempts. The Presenting Agent must pass Events Basics validation at the time the event is reported. (Refer to the event reporting section).

#### Validation, Reporting, and Monitoring

- You can verify your own certification status and history through Jarvis (via Knowledge Center > Training & Certification) or by contacting the PHD.
- The learning and development and certification operations departments monitor the certification program. Quality indicators have been established and are reviewed on a quarterly basis to ensure that training modules are effective and meet company standards. Quality indicators that are measured include the following:
  - ~ Level One: Agent feedback including ratings on content, structure, understanding, usability, and value of courses.
  - ~ Level Two: Knowledge evaluations are conducted through the administration of tests that have been developed by subject matter and learning experts to sample the key areas of knowledge necessary to perform successfully the job.
  - ~ Level Three: Activity metrics (e.g., length of time, frequency of access, frequency of test taking attempts, average scores) are monitored to ensure effectiveness of instruction and measurement of achievement. These metrics are loaded into the learning management system (Learning Lab) report tracking system.

#### Requests for Certification Related Information

- Agent or up-line requests for certification related information should be directed via email to the PHD at [phd@uhc.com](mailto:phd@uhc.com).
- The PHD forwards requests to the certification operations department for processing according to departmental procedures. Guidelines are established for intake, escalation, and resolution of requests.

## Section 2: How do I Get Started

- Appeal requests or critical subject matter, such as the employment relationship or compliance, regulatory, audit, ethics, or legal issues, a committee representing sales and other relevant leaders will evaluate the request. The manager of certification operations will review and approve information prior to release to the requestor and determine the final factual assessment and outcome.

### **First Tier, Downstream, and Related Entities (FDR)**

NMA/FMO working on UnitedHealthcare Medicare Advantage (MA) or Part D programs must provide **either their own Standards of Conduct or the UnitedHealth Group Code of Conduct** to employees (including temporary workers and volunteers), the CEO, senior administrators or managers, governing body members and subcontracted delegates who are involved in the administration or delivery of our MA or Part D benefits or services within 90 days of hire and annually thereafter.

Please contact your up-line for additional details regarding FDR requirements.

### **Training Resources**

- UnitedHealthcare makes Learning and Development trainings available.
- All UnitedHealthcare Learning and Development training resources are produced in English. Some content is also available in Spanish. If you need an interpreter for an in-person training, you must notify your trainer and/or local sales leadership at least five business days in advance.
- If you need closed captioning for a live training webinar session, you must notify the trainer at least five business days in advance.
- All recorded trainings/videos will include closed captioning or will be available in a non-audio format.

## Section 3: What Communications are Available to Help Me?

### Section 3: What Communications are Available to Help Me?

#### Agent Communications

## Section 3: What Communications are Available to Help Me?

### Agent Communications

UnitedHealthcare provides you with information related to the product portfolio, applicable federal and state regulations, and UnitedHealthcare rules, policies, procedures, and processes through a variety of means. All communication methods must be conducted in compliance with federal and state laws governing business data use and consent requirements for calls/text where applicable.

#### Communication Method

Email and Jarvis are the primary methods of communication.

- You must provide and maintain a valid email address available to UnitedHealthcare.
- You must receive and read all communications emailed from UnitedHealthcare.

#### Other Communications Methods

Communications may also be disseminated through the following methods:

- Postal mail
- Manager meetings
- Conference calls
- Telephonic messaging (e.g., text and voice)

Update your contact information in your user profile on **Jarvis** or by contacting the PHD.

#### Communication Management

##### JarvisWRAP

JarvisWRAP is distributed to you weekly. All articles will be available on **Jarvis**.

##### Emails

Sales Communications maintains and uses email distribution lists for each sales channel.

##### Text Message

You may opt-in to text messaging for regular updates. You may opt-out at any time after opting-in.

#### Disclosing Proprietary Information, Media Requests, and Public Relations Materials

- Confidential and/or proprietary data about UnitedHealthcare must not be released to anyone outside the company without first securing approval from the Chief Distribution Officer, Compliance, or Legal.
- Agents are prohibited from speaking to the press regarding UnitedHealth Group related business information (including but not limited to intellectual properties, plan designs, and acquisitions) without first securing approval from the Corporate Communications team. All media inquiries must be directed to the Corporate Communications team.
- Press releases and other public communications must be submitted for approval to the Corporate Communications team. In some cases, press releases must be approved by the UnitedHealthcare Group Chief Communications Officer and head of investor relations.

**Section 4: Agent/Agency Materials, Websites, and Social Media**

**Materials**

**Websites and Social Media**

**Media Engagements**

## Section 4: Agent/Agency Materials, Websites, and Social Media

### Materials

#### Communication Materials

Communications means activities and use of materials to provide information to current and prospective consumer/member. This means that all activities and materials aimed at prospective and current consumer/member, including their caregivers and other decision makers associated with a prospective or current consumer/member, are “communications” within the scope of the regulations.

- Communication materials that do not feature any UnitedHealthcare brand elements do not require UnitedHealthcare approval prior to use.
- UnitedHealthcare branded communication materials require UnitedHealthcare review and approval prior to use.

#### Marketing Materials

Marketing is a subset of communications and includes activities and use of materials by the Plan sponsor with the intent to draw a consumer/member’s attention to a plan or plans and to influence a consumer/member’s decision-making process when selecting a plan for enrollment or deciding to stay enrolled in a plan (e.g., retention-based marketing). Additionally, marketing contains information about the plan’s benefit structure, cost sharing, measuring, or ranking standards.

- The Centers for Medicare and Medicaid Services (CMS) does not consider a material to be marketing based on content if the intent does not meet the definition of Marketing. Additionally, CMS excludes certain required materials and reserves the ability to exclude additional materials based on their use or purpose.
- Marketing activities and materials are distinguished from communication activities and materials based on both intent and content.
  - ~ Intent – When the purpose of marketing activities and materials is to draw a prospective or current consumer/member’s attention to a plan or group of plans to influence a consumer/member’s decision when selecting and enrolling in a plan or deciding to stay in a plan.
  - ~ Content – Is based on the exclusions in the definition of marketing and marketing materials and the type of information that would be intended to draw attention to a plan or influence a consumer/member’s enrollment decision, marketing activities and materials include or address:
    - Information about benefits or benefit structure
    - Information about premiums and cost sharing
    - Comparisons to other Plan(s)/Part D sponsor(s)
    - Rankings or measurements in reference to other Plan(s)/Part D sponsor(s)
    - Information about Star Ratings
    - Information about rewards and incentives
- To identify if activities and materials meet the definition of marketing, the activities and materials must be evaluated in both the intent and content of the activities and materials.
- In evaluating the intent of an activity or material, CMS will consider objective information including, but not limited to, the audience of the activity or material, other information communicated by the activity or material, timing, and other context of the activity or material and is not limited to the stated intent.

## Section 4: Agent/Agency Materials, Websites, and Social Media

- Effective 10/08/2021, non-carrier branded marketing materials must be submitted into HPMS prior to use. Refer to the Agent/Agency and Third-Party Created Materials section for additional details.
- MA plan and PDP marketing materials related to an upcoming plan year must not be distributed prior to October 1 preceding the beginning of the contract year. For example, marketing materials related to the 2022 plan year must not be distributed prior to 10/01/2021. Once marketing activities begin for the new contract year, current year marketing activities must cease except to consumers who are eligible for a valid enrollment period (e.g., aging-ins, special enrollment period) and materials clearly indicate what plan year is being discussed. However, prior year materials may be provided to consumers upon request, including enrollment applications (e.g., An agent markets and enrolls a consumer in a current year UnitedHealthcare MA plan and PDP with an effective date of October 1, November 1, or December 1 due to a Special Enrollment Period or a consumer “ages-in” to Medicare due to an Initial Coverage Election Period).
- Medicare Supplement marketing materials promote AARP Medicare Supplement plans offered by UnitedHealthcare. Medicare Supplement marketing materials are reviewed by AARP Services, Inc. and UnitedHealthcare, and filed with and approved by the individual state departments of insurance.

### **UnitedHealthcare Pre-approved Communication and Marketing Materials**

UnitedHealthcare provides preapproved materials and templates to ensure consistency of branding and messaging, legal and regulatory compliance, and partner approval. All materials made available and/or provided by UnitedHealthcare are copyrighted and shall remain property of UnitedHealthcare.

You must:

- Be contracted, appointed (if applicable), and certified in order to access and order preapproved materials through the UnitedHealthcare Toolkit. Your access is limited to the products and/or plan in which you are licensed and certified to sell.
- Use your secure log on to access, download, and/or order materials through the Sales Material Portal and UnitedHealthcare Toolkit. Preapproved materials for acquired entities may require ordering through the entity’s sales office.
- Use preapproved materials in the format approved (e.g., advertisements that are only approved for use as print material cannot be used in a digital format).

You may:

- At your discretion and without further approval, use preapproved materials provided by UnitedHealthcare so long as the materials are not altered and used in a manner consistent with all applicable regulations and UnitedHealthcare policy.

You must not:

- Share log on credentials with or provide materials to an agent who is not appropriately contracted, licensed, appointed, and certified.

## Section 4: Agent/Agency Materials, Websites, and Social Media

- Alter preapproved materials in any way, including handwritten notes (e.g., agent contact information) or (e.g., a particular plan benefit). However, you may encourage the consumer to make notes on the material.

### **Exception Process for Materials containing a UnitedHealthcare Brand or Logo and/or Plan Related Information**

Other than the materials and preapproved templates (e.g., logo) provided by UnitedHealthcare, you have no authority to use any UnitedHealth Group or its affiliates or AARP brand names, brand derivatives, trademarks, service marks, logos, or domain names in any agent/agency created content or material, or on any website and/or social media without the proposed use being submitted, reviewed, and approved prior to use. Additionally, you are not permitted to incorporate in an email address or register or operate internet domain names incorporating the name of any UnitedHealth Group or its affiliates or AARP brand name or brand derivatives.

Every effort must be made to use preapproved materials and templates. Requesting a custom piece should be limited to rare and exceptional circumstances. All custom materials that references or uses a UnitedHealthcare brand, plan information, or logo in any manner must be submitted for approval. Use of agent-created marketing materials featuring a UnitedHealthcare brand, plan information, or logo without prior written approval by UnitedHealthcare is prohibited.

Requests for approval of agent/agency created marketing materials using any AARP mark or branded product name in marketing or agent recruitment activity **will not** be considered.

All other requests for approval of agent/agency created branded material, the development of custom branded material, or the modification of preapproved materials are processed as follows:

### **External Distribution Channel (EDC)**

- You must work through your highest level up-line to request a marketing material exception to UnitedHealthcare. If approved by a UnitedHealthcare Agent Manager or Sales Director, the Agent Manager or Sales Direction will submit the request to their contact within the UnitedHealthcare Field Marketing team for consideration.

The UnitedHealthcare Field marketing team member will only consider requests if all of the following requirements are met:

- There is strong evidence of business need
- There are no existing materials or templates to fulfill the need,
- There is a substantial business impact (i.e. a significant increase in lead generation, conversion, and new business sales),
- The proposed marketing material may be used by multiple agents,
- Use of the proposed marketing material is consistent with established practices for UnitedHealthcare brands, and
- The proposed marketing material does not pose any risk of damage to UnitedHealth Group, UnitedHealthcare or any of its brands.

## Section 4: Agent/Agency Materials, Websites, and Social Media

If all of the criteria above are met, the UnitedHealthcare Field Marketing team will coordinate all requests with Compliance, Legal, and other internal reviewers as required. You will be notified if the piece is approved for distribution. Meeting all criteria does not guarantee the request will be approved.

Approvals for the use of UnitedHealthcare brand elements will be granted only for the marketing material submitted; they may not be taken generally as blanket approvals. Approval may also be limited to one-time use.

Prior to use, you will need to abide by the usage guidelines provided by UnitedHealthcare Field Marketing, which is based on the compliance, legal, and internal review requirements.

Both the requesting and the approving parties must keep a written record of all approvals granted.

### **Agent/Agency and Third-Party Created Materials**

Agent/agency and third-party created materials are subject to CMS regulations and UnitedHealthcare rules, policies, and procedures. You are responsible for ensuring that any material you create and/or use is compliant. The following guidelines apply:

### **Agent/Agency and Third-Party Created Materials General Guidelines**

Created Materials Must:

- Comply with all applicable CMS Medicare Communications and Marketing Guidelines and UnitedHealthcare rules, policies, and procedures.
- Include all required disclaimers, including but not limited to the required disclaimer on all advertisements and invitations for educational and marketing/sales events “For accommodations of persons with special needs at meetings call <insert phone and TTY number.>”
- Must include a statement when promoting drawings, prizes, or free gifts that clearly indicates that there is no obligation to enroll in the plan. Example:
  - ~ “Eligible for a free drawing, gift, or prizes with no obligation to enroll.”
  - ~ “Free gift without obligation to enroll.”

Created Materials May:

- Promote or advertise an agent/agency and/or services using generic content.
- Include basic agent details such as agent name, compliant agent title, and agent contact information.
- Identify the Medicare product types you are certified to offer, such as MA plans, PDPs, Medicare Supplement Insurance plans, and Special Needs Plans.
- Mention MA or PDP products in a general way.
- Include basic Medicare information, such as income limits, Part A and/or B premium and deductible amounts, Part A and B coverage descriptions, Part D coverage stage information, provided the information is accurate for the current plan year.
- Include generic event details, such as the date, time, and location of an upcoming marketing/sales or educational event.
- Be reviewed by UnitedHealthcare retrospectively.

## Section 4: Agent/Agency Materials, Websites, and Social Media

Created Materials Must Not:

- Feature the AARP brand, name, trademark, service mark, logo, and/or domain name.
- Contain discriminatory content (refer to the Marketing to consumers with Impairments or Disabilities section).

### **Agent/Agency or Third-Party Created Non-Carrier Branded Communication Materials**

In addition to complying with all other applicable guidelines, these materials may be used without prior approval.

### **Agent/Agency or Third-Party Created UnitedHealthcare Branded Communication or Marketing Materials**

These materials require UnitedHealthcare approval prior to use via the established Exception Process noted in the Exception Process for Materials Containing a UnitedHealthcare Brand or Logo and/or Plan Related Information section.

### **Agent/Agency or Third-Party Created Non-Carrier Branded Marketing Materials**

- Materials must be submitted into HPMS by the agent/agency who intends to use the material or by an up-line on their behalf.
- UnitedHealthcare will review materials submitted into HPMS. Any materials opted-out by UnitedHealthcare must not be used to lead generate, market, or lead to sales of a UnitedHealthcare plan.
- Agent/Agency or third-party created website and social media accounts do not apply. Refer to the Agent/Agency and Third-Party Created Websites and Social Media section.

### **Prohibited/Misleading Terminology**

You are prohibited from providing information that is inaccurate or misleading, or engaging in activities that could mislead or confuse consumers/members or misrepresent UnitedHealthcare.

You must not:

- Claim that you are recommended or endorsed by CMS, Medicare, or the Department of Health & Human Services (DHHS);
- Use unsubstantiated absolute or unsubstantiated qualified superlatives or disparaging comments.
- Use the term “free” to describe a zero-dollar premium, reduction in premiums (including Part B buy-down), reduction in deductibles or cost sharing, low-income subsidy (LIS), cost sharing for individuals with dual eligibility.

### **Agent Titles**

Agent titles must not mislead or misrepresent that you are connected to, approved, endorsed, or authorized by Medicare. Agent titles that imply you have additional knowledge, skill, or certification above licensing requirements that cannot be verified is prohibited.

You must accurately state your relationship to UnitedHealthcare and provide an accurate title that reflects the intent of the contact with the consumer.

## Section 4: Agent/Agency Materials, Websites, and Social Media

UnitedHealthcare has approved the following agent titles based on the agent's sales channel for proper representation to consumers/members:

All channels: Licensed Sales Agent, Licensed Sales Representative, Sales Agent, Sales Representative

EDC: Independent Sales Agent, Independent Sales Representative. Their NMA/FMO name may be added if desired

EDC Premier Producer: May include with a compliant agent title their status as a Premier Producer with UnitedHealthcare. Agents that do not meet the requirements for the Premier Producer status must not use the Premier Producer designation.

### **Medicare name or mark**

You must not use symbols, emblems, images, color schemes, names (including acronyms), words, letters, or any other combination or variation in reference to Medicare, Social Security Administration, Department of Health and Human Service, Medicaid, or any other government entity on communication or marketing materials, electronic communications, websites or social media accounts, broadcasts or telecasts, or company name in a manner that is misleading or conveys or could be reasonably construed as conveying the false impression that the agent, business, or content mentioned is connected to, approved, endorsed, or authorized by Medicare or any other government entity.

## Websites and Social Media

### **Agent/Agency Created Websites and Social Media Accounts**

#### General Guidelines

You are solely responsible for the compliance of your agent/agency created websites and social media accounts. In addition to the agent/agency and third-party created materials guidelines within this policy, the following guidelines apply:

#### You Must:

- Be actively licensed, appointed (if applicable), and certified with UnitedHealthcare in order to announce their affiliation with UnitedHealthcare on your website or to download and use designated UnitedHealthcare or AARP branded resources available explicitly for use on Facebook.
- Be active with UnitedHealthcare in order to feature any UnitedHealthcare or AARP brand elements or branded resources. Agents in servicing status or who are inactive must remove all brand elements or branded resources no later than their termination date.
- Follow all applicable CMS regulations, state laws, and UnitedHealthcare rules, policies, and procedures.
- Refer to the Agent Website and Social Media Guidelines job aid for additional details on agent/agency created websites and social media accounts.

## Section 4: Agent/Agency Materials, Websites, and Social Media

### You May

Display non-carrier branded communication materials and content. Refer to the Agent Created and UnitedHealthcare Toolkit Materials job aid for information on generic materials.

### You Must Not

- Feature any hyperlinks to any UnitedHealthcare company or affiliate website page except as noted in the Agent/Agency Created Websites and Social Media Accounts sections.
- Use any UnitedHealthcare owned or provided content or materials in the creation of content or materials by the agent/agency.
- Post or repost any UnitedHealthcare owned or provided content or material except:
  - ~ Material/Content that is pre-approved explicitly for use on a website or Facebook, such as any material available on Jarvis, the UnitedHealthcare Toolkit, or Sales Materials Portal, or distributed by UnitedHealthcare via email, post mail, or instructional or informational sessions (in-person or virtual), or
  - ~ Sharing or liking of content from the UnitedHealthcare or MMC official Facebook account or YouTube channel.

### Agent/Agency Created Websites

You may create consumer-facing websites, which are directed to consumers to market agent/agency services and announce your affiliation with UnitedHealthcare, and/or agent-facing websites, which might be password protected, that are directed to agents for recruitment activities, education, and communication. In addition to abiding with all policy guidelines, the following guidelines apply:

### You Must

- Register with UnitedHealthcare any agent/agency created website that contains an affiliation announcement with UnitedHealthcare.
- Have UnitedHealthcare approval on all marketing content related to UnitedHealthcare plans. UnitedHealthcare at its discretion may permit select contracted entities to feature UnitedHealthcare marketing material and plan information on their website. If approved, UnitedHealthcare will file the website containing marketing content related to a UnitedHealthcare plan with CMS for approval.
- On agent-facing websites, include a disclaimer to the effect: “The information on this website is for agent use only and is not intended for use by the general public.”

### You May

- If the website is registered with UnitedHealthcare, announce your affiliation with UnitedHealthcare by using one or more of the following brand elements.
  - ~ UnitedHealthcare company name
  - ~ UnitedHealthcare-provided logo
  - ~ Hyperlink to a UnitedHealthcare-approved website homepage
  - ~ AARP web banner, only if you are a current A2O Elite agent
- Place within your website hyperlinks to government websites, such as [www.Medicare.gov](http://www.Medicare.gov), or other websites as permitted by the other organization and compliant with these guidelines.

## Section 4: Agent/Agency Materials, Websites, and Social Media

- Post a compliant electronic business reply card (eBRC) or online contact form to obtain consumer contact information and permission to contact.
- On agent-facing websites only, include a link to [www.uhcjarvis.com](http://www.uhcjarvis.com) as a convenience for UnitedHealthcare contracted agents.

### You Must Not

- Announce your affiliation with UnitedHealthcare through any means unless you have registered the website. All content on an unfiled or unregistered agent/agency created website must be generic.
- Use any UnitedHealthcare logo except the one provided by UnitedHealthcare and in accordance with the request process provided in the Agent Website and Social Media Guidelines Job Aid. Copying and pasting a logo from a UnitedHealthcare website or publication (e.g., communication or marketing material) is prohibited.
- Reference “AARP” or display any AARP logo, brand, or product name, unless as a pre-approved AARP web banner. The AARP web banner is available to Authorized to Offer (A2O) Elite agents. You must refer to the Agent Website and Social Media Guidelines Job Aid for details.
- Alter the approved logo (except for proportional resizing) or AARP web banner in any way.

### Agent/Agency Created Social Media Accounts

Your use of social media as a communications or marketing tool, including, but not limited to Facebook, LinkedIn, YouTube, Twitter, blogs, chat rooms and message boards is subject to CMS regulations and UnitedHealthcare rules, policies, and procedures. In addition to abiding with all policy guidelines, the following guidelines apply:

### You Must

- Refer to the Agent Website and Social Media Guidelines job aid for specific instructions related to social media accounts.
- Use a business account, not a personal or multi-purpose (i.e. personal and business) account to conduct business on behalf of UnitedHealthcare on any social media platform.
- Register with UnitedHealthcare any Facebook account prior to accessing a branded Facebook asset on the UnitedHealthcare Toolkit made available to eligible agents.
- Register with UnitedHealthcare any website or Facebook account prior to sharing or liking content from the official UnitedHealthcare ([www.facebook.com/UnitedHealthcare](http://www.facebook.com/UnitedHealthcare), [www.youtube.com/unitedhealthcare](http://www.youtube.com/unitedhealthcare)) or Medicare Made Clear ([www.facebook.com/medicaremadeclear](http://www.facebook.com/medicaremadeclear), [www.youtube.com/medicaremadeclear](http://www.youtube.com/medicaremadeclear)) Facebook account or YouTube channel.
- For employees of UnitedHealth Group or its affiliates, abide by UnitedHealth Group corporate social media guidelines.

### You May

- Link to a compliant agent created business website.
- May share (e.g., post a link, posting the unmodified original post) or like content from the official UnitedHealthcare ([www.facebook.com/UnitedHealthcare](http://www.facebook.com/UnitedHealthcare), [www.youtube.com/UnitedHealthcare](http://www.youtube.com/UnitedHealthcare)) or Medicare Made Clear

## Section 4: Agent/Agency Materials, Websites, and Social Media

([www.facebook.com/medicaremadeclear](http://www.facebook.com/medicaremadeclear), [www.youtube.com/medicaremadeclear](http://www.youtube.com/medicaremadeclear)) Facebook account or YouTube channel on a registered agent created website or Facebook account.

- ~ Agents/Agencies may only link to videos from the official YouTube channels and must not embed videos.
- ~ Unless pre-approved, agents must not share or like content that meets the definition of marketing material (e.g., contains plan benefit information).
- ~ Agents/Agencies must not add content that features the UnitedHealthcare brand elements, meets the definition of marketing material or is misinformation or misleading content.
- ~ Agents/Agencies must not modify pre-approved content or UnitedHealthcare original content and must not distribute content through unsolicited contact.
- Select agents/agencies may feature approved UnitedHealthcare video assets. In addition to following all website and social media guidelines, the agent must abide with all guidelines provided with the assets.
  - ~ Video assets may be posted on registered agent/agency created websites, Facebook, or other social media business accounts.
  - ~ Agents/Agencies must not feature any UnitedHealthcare video assets outside of the approved dates of the video asset.
- Feature an online contact form on a business Facebook account. The online contact form must be part of a Facebook advertisement created using the Facebook advertisement creator and comply with all applicable rules, regulations and guidelines.

### You Must Not

- Use a social media platforms interactive functionality (or equivalent service) to engage in unsolicited direct contact with consumers/members.
- Feature the UnitedHealthcare or AARP brand name, logo, or branded material except where the brand element is part of a pre-approved branded marketing material explicitly developed for use on Facebook or part of content from the UnitedHealthcare or MMC official Facebook account or YouTube channel that an agent is sharing or liking on their social media account.
- Feature or post a link to any AARP website.
- Feature an eBRC or online contact form (with the exception of a Facebook advertisement featuring an online contact form).

### Monitoring and Corrective Action

Agent/Agency and third-party materials are monitored to ensure you use any UnitedHealthcare and AARP logo, brand, material, and language in an approved and compliant manner.

### Usage Monitoring

UnitedHealthcare and ASI conducts random reviews of brand and logo usage, the use of materials provided at marketing/sales events, and on agent/agency websites and social media platforms.

### CMS Website Monitoring

CMS and State Departments of Insurance (DOI) may monitor websites that contains UnitedHealthcare information. CMS or a state DOI may notify UnitedHealthcare of any website violations pertaining to Medicare products and UnitedHealthcare will then notify the website owner and the agent manager or up-line of any CMS or state DOI identified website violations.

## Section 4: Agent/Agency Materials, Websites, and Social Media

### UnitedHealthcare Website/Social Media Monitoring

UnitedHealthcare expects agents/agencies and their up-lines to monitor websites and social media for compliance on a routine basis. UnitedHealthcare conducts regular monthly reviews of agent/agency websites and agent outreach related to compliance infractions.

- Websites/social media platforms are reviewed against CMS regulations and UnitedHealthcare rules, policies, and procedures.
- UnitedHealthcare Agent Oversight will conduct outreach when a website/social media infraction has been identified.
- UnitedHealthcare Agent Oversight will forward to UnitedHealthcare Medicare & Retirement Legal website information identifying non-affiliated entities engaging in unauthorized website/social media use of Company information. Legal representatives will review and respond to the incident as required.
- UnitedHealthcare Agent Oversight will maintain results of website/social media reviews on a SharePoint site and will provide a summary report monthly to the Director of Agent Oversight.

### Corrective Action

- Agents/Agencies notified of a UnitedHealthcare compliance issue will be given a limited time period to correct the issue. CMS reserves the right to request immediate action regarding website content.
- Agents/Agencies who do not comply with corrective action may be referred to the Disciplinary Action Committee (DAC) or subject to progressive discipline including corrective and/or disciplinary action, up to and including termination.

## Media Engagements

You must receive permission from UnitedHealthcare Corporate Communications prior to participating in interviews with print (i.e. newspaper, magazines) or broadcast (i.e. radio, television) or web-based digital media. However, if you do not represent UnitedHealthcare or do not mention UnitedHealthcare plans (i.e. AARP-branded Medicare plans) by name during the interview, the permission to participate requirement does not apply. You must submit a request to your local agent manager or up-line and include the name of the media outlet, the format of the programming (i.e. live or taped, phone or in-studio) and a description of the focus of the interview. Note: agents who are not employees of UnitedHealthcare are typically not permitted to represent the company during media engagements.

**Section 5: How do I Conduct Educational and Marketing/Sales Activities?**

**Educational and Marketing/Sales Activities and Events**

**Marketing/Sales Event Reporting**

**Marketing to Consumers with Impairments or Disabilities**

**Permission to Contact (PTC)**

**Lead Generation**

## Section 5: How do I Conduct Educational and Marketing/Sales Activities?

### Educational and Marketing/Sales Activities and Events

It is UnitedHealthcare policy to comply with federal, state, and business regulations, rules, and requirements when engaging or participating in Communication Activities including educational events and/or Marketing Activities including marketing/sales events. Compliance extends to any providers, vendors, or third-party organizations or individuals.

#### Outreach Activities

##### Communications

Communications means activities and the use of materials to provide information to current and prospective consumers/members.

##### Marketing

Marketing is a subset of communications and includes activities and use of materials with the intent to draw a consumer/member's attention to a plan or plans and to influence a consumer/member's decision-making process when selecting a plan for enrollment or deciding to stay enrolled in a plan (that is, retention-based marketing). Additionally, marketing contains information about the plan's benefit structure, cost sharing, measuring, or ranking standards.

#### Outreach Activities General Guidelines

The following guidelines apply to in-person, online, or telephonic educational or marketing/sales activities or events.

Agents must:

- Be contracted, licensed, appointed (if applicable), and certified in order to conduct any educational or marketing/sales activity or event on behalf of UnitedHealthcare.
- Include all required disclaimers on all advertisements and invitations to events, including but not limited to "For accommodations of persons with special needs at meetings call <insert phone number and TTY number>."
- Include on all advertisements promoting drawings, prizes, or any promise of a free gift that there is no obligation to enroll in the plan. For example, "Eligible for free drawing, gift or prizes with no obligation to enroll." or "Free gift without obligation to enroll."
- Obtain permission from the venue or applicable authority to conduct an in-person event.
- Comply with Permission to Contact (PTC) guidelines (refer to the PTC section).
- Comply with Scope of Appointment (SOA) guidelines (refer to the SOA section).
- Ensure all consumer PHI/PII information is protected and secure (refer to the Privacy and Security section).
- Keep agent and non-agent activities separate when participating in non-agent events/activities (e.g., volunteering at a food bank).

Agents may:

- Distribute communication materials, including the UnitedHealthcare-branded "Medicare Made Clear<sup>®</sup>" booklet, which is free of plan premiums, benefit, and copayment information, and

## Section 5: How do I Conduct Educational and Marketing/Sales Activities?

provide healthcare educational materials (not specific to any plan) on general topics such as diabetes awareness and prevention and high blood pressure information.

- Have a banner or table skirt with the plan name and logo displayed.
- Wear a shirt and/or badge with approved plan names and/or logos (e.g., purchased from UnitedHealth Group Merchandise eStore accessible via Jarvis).
- Schedule future personal/individual marketing appointments, including completing and collecting SOA forms.
- Distribute and/or display contact information and/or compliant business cards free of any plan marketing or benefit information.
- Attach compliant business cards or agent contact information to communication materials or Medicare Advantage plan or Prescription Drug Plan marketing materials with a single staple/single piece of tape provided the card does not cover CMS required language or information.
- Distribute and/or display compliant business reply cards or lead cards, sign-in sheets or SOA forms as long as the consumer understands that completing any of them is completely optional.
- Invite consumers to or accept RSVPs for future marketing/sales events.
- Provide promotional items with agent name and contact information, plan names, logos, a toll-free customer service number, and/or website provided the aggregate retail value of the gifts (including food items) does not exceed \$15 on a per person basis (refer to the Gifts and Meals section for additional information).

### Agents Must Not:

- Engage in unsolicited contact (e.g., proactively approach or engage the consumer at an informal (table/booth/kiosk) setting).
- Provide cash gifts, gifts easily converted to cash, or charitable contributions made on behalf of a consumer regardless of dollar amount (refer to the Gifts and Meals section for additional information).
- Provide inaccurate or misleading information or engage in activities that could mislead or confuse consumers/members or misrepresent UnitedHealthcare.
- Use prohibited terminology/statements including:
  - ~ Unsubstantiated qualified superlatives (e.g., one of the best provider networks, the largest health plan), unsubstantiated absolute statements (e.g., “UnitedHealthcare is the best”), or disparaging statements.
  - ~ Claim to be recommended or endorsed by CMS, Medicare, or the Department of Health & Human Services (DHHS).
  - ~ Use of the term “free” to describe zero-dollar premium, reduction in premiums, reduction in deductibles or cost sharing, low-income subsidy (LIS), or cost sharing for individuals with dual eligibility.
- Discriminate based on race, ethnicity, national origin, religion, gender, sex, age, mental or physical disability, health status, receipt of health care, claims experience, medical history, genetic information, evidence of insurability, or geographic locations and/or target consumers from higher income areas or state and/or otherwise imply that plans are available only to seniors and not all Medicare-eligible consumers.

## Section 5: How do I Conduct Educational and Marketing/Sales Activities?

- Provide any gifts to consumers that are associated with gambling and/or have the potential to result in a conversion to cash (e.g., lottery tickets, pull-tabs, meat raffles) including coupons for a meal or items that, in combination, would reasonably be considered a meal.
- Require a consumer to provide any name or contact information with the exception of an email address for an online event to RSVP or receive event-specific details, as a prerequisite for attending or participating during the event.
- Use an RSVP list at an event as a sign-in or attendance sheet. Information on an RSVP list must be protected and not visible to consumers attending an event.
- Wear UnitedHealthcare branded apparel at a non-UnitedHealthcare sanctioned event (e.g., volunteering at food distribution event).
- Conduct an event in any location where the reputation of the agent or UnitedHealthcare could be compromised, such as at a casino in a location where gambling is being conducted. It is acceptable to hold an event in an area completely separate from gambling activities, such as a conference room.

### Educational Events

Educational events are designed to inform Medicare consumers about Original Medicare, Medicare Advantage plans, Prescription Drug Plans, or other Medicare-related plans that do not include marketing. The purpose of an educational event is to provide objective information about the Medicare program and/or health improvement and wellness. The plan sponsor or an outside entity may host an educational event.

In addition to all other regulations, rules, policies, and procedures, the following guidelines apply to educational events:

- When promoting or advertising the event, you must advertise or promote the event as educational or in a manner that would lead consumers to believe that it is explicitly for educational purposes.
- You must not engage in any marketing or sales activity at an educational event that would meet the CMS definition of marketing activities/materials. For example, you must not:
  - ~ Distribute or display plan-specific marketing materials such as Enrollment Guide or brochures.
  - ~ Distribute or collect enrollment applications.
  - ~ Discuss plan-specific premiums and/or benefits.

Agents may:

- Respond to consumer-initiated questions asked at an educational event, provided that the scope of the response does not go beyond the questions asked and does not include the distribution or acceptance of enrollment applications and/or marketing materials. If asked about plan benefits, premiums, or copayments, suggest that consumers call UnitedHealthcare, visit the plan website, or schedule a future marketing appointment for further information.
- Provide meals or food items (provided they are permitted by the venue) as long as the retail value, when combined with any other gift, does not exceed \$15 on a per person basis (refer to the Gifts and Meals section for additional information).

## Section 5: How do I Conduct Educational and Marketing/Sales Activities?

- Conduct an educational event in a location where an entrance fee may be required to attend (e.g., health fair). However, no fee can be charged to attend the educational event setup or to receive information.

### Marketing/Sales Events and Appointments

Marketing/sales events are designed to steer, or attempt to steer members or consumers toward a specific plan or a limited set of plans or for plan retention activities. The following are types of marketing/sales events and appointments:

Formal marketing/sales events are typically structured in an audience/presenter style with an agent formally providing specific plan sponsor information via a presentation on the products being offered. In this setting, the agent usually presents to an audience that was previously invited to attend.

Informal marketing/sales events are conducted with a less structured presentation and/or in a less formal environment and are intended for a passerby type of audience. They typically utilize a booth, table, kiosk, or recreational vehicle (RV) that is manned by an agent who can discuss the merits of the plan's products.

Personal/individual marketing appointments typically take place in the Medicare consumer's residence; however, they may take place in other venues such as a coffee shop, over the phone, or online. All individual appointments between an agent and a consumer/member are considered marketing/sales appointment regardless of the content discussed.

In addition to all other regulations, rules, policies and procedures, the following guidelines apply to marketing/sales activities, appointments, and events:

Agents must:

- Use only current UnitedHealthcare and CMS approved marketing materials, including scripts, sales presentations, and enrollment materials.
- Use materials as approved and provided for use by the plan.
- Provide plan related materials upon consumer request. Materials may be provided in any available format requested by the consumer. (Refer to the Enrollment section for materials required at the time of enrollment.)
- For informal and formal marketing/sales events:
  - ~ Take and pass the Events Basics assessment for the applicable plan year prior to reporting, conducting, and/or participating in a marketing/sales event. Note: Agents who only participate in the Multi-Carrier Program (to conduct informal sales events at Walmart in-store kiosks) are not required to complete the Events Basics module/assessment.
  - ~ Report all informal and formal events to UnitedHealthcare according to the process outlined in the Event Reporting section.
  - ~ Ensure all events, even those with no RSVP collection and/or not advertised, are open to the public. Note: only events that request RSVP collection are viewable to Telesales agents to promote to the consumer and/or accept an RSVP. You are expected to inform venues

## Section 5: How do I Conduct Educational and Marketing/Sales Activities?

- that typically have a closed membership, such as Knights of Columbus or Elks Club, that any consumer that wants to attend the event must be permitted entrance to the venue.
- ~ Conduct events in appropriate venues. Prohibited venues include gambling areas of casinos, for-profit bingo facilities, and areas where health care is provided (e.g., pharmacy counter, exam room). Discretion should be used when selecting a venue to ensure the reputation of UnitedHealthcare is not compromised.
  - ~ Make a reasonable attempt to notify front desk staff/employees at the venue of the event, room number, and time of event so the staff can direct consumers appropriately. If allowed, post signage directing the consumer to the event location.
  - ~ Clearly announce at the beginning of the presentation the agent's name and title, the company they represent, and the product/plan type (e.g., HMO, MA, MA-PD, PDP, PFFS, POS, PPO, and SNP) that will be covered during the presentation.

### Agents must not:

- Charge a consumer/member any type of marketing fee in order to conduct marketing/sales activities.
- Solicit or accept enrollment applications from individuals who do not have a valid election period (e.g., Annual Enrollment Period (AEP) or Special Election Period (SEP)) as set by CMS.
- Market and/or sell outside of eligible periods (e.g., marketing for a new plan year prior to October 1). Marketing, selling, or distributing plan materials outside of eligible marketing periods is prohibited and is subject to corrective and/or disciplinary action up to and including termination.
- Effective 10/01/2018, knowingly target or send unsolicited marketing materials that reference the Medicare Advantage Open Enrollment Period ("MA OEP"), or otherwise market the MA OEP, to any current MA or PDP member. For example, the following are prohibited:
  - ~ Send unsolicited materials advertising the ability/opportunity to make an additional enrollment change or referencing the MA OEP.
  - ~ Specifically target members who are in the MA OEP because they made a choice during the AEP by purchase of mailing lists or other means of identification.
  - ~ Engage in or promote activities that intend to target the MA OEP as an opportunity to further sales.
  - ~ Call or otherwise contact former members who have selected a new plan during the AEP.
- Conduct health screening or other like activities that may be perceived as, or used for, "cherry picking", which is engaging in any practice that may reasonably be expected to have the effect of denying or discouraging enrollment of individuals whose medical condition or history indicates a need for substantial future medical services, (e.g., blood pressure and/or cholesterol checks, blood work).
- Steer consumers to specific providers or provider groups, practitioners, or suppliers. You may provide the names and contact information of providers contracted with a particular plan when asked by a consumer.
- Discuss plan options that were not agreed to by the consumer in advance, on the SOA, sales event signage, or promotional notification unless requested by the consumer.
- Market non-health related products (e.g., annuities or life insurance) while marketing a Medicare-related product. This is considered cross-selling and is prohibited.

## Section 5: How do I Conduct Educational and Marketing/Sales Activities?

- Compare one plan sponsor to another by name unless both plan sponsors have concurred or you are certified and appointed (if necessary) with both carriers.
- Provide a meal to attendees.
- For informal or formal marketing/sales events you must not:
  - ~ Conduct an event at a venue when a free or subsidized meal is being served. If a meal is served as part of the venue's daily activity, (e.g., senior center, cafeteria, soup kitchen, shelter), the event may not be conducted while the meal is being served.
  - ~ Conduct marketing/sales activities or events in restricted areas of a healthcare setting. Restricted areas generally include but are not limited to exam rooms, hospital patient rooms, treatments areas where patients interact with a provider and their clinical team and receive treatment (including, dialysis treatment facilities) and pharmacy counter areas.

Agents may:

- Effective 10/01/2018, during the MA OEP (January 1 – March 31):
  - ~ Conduct marketing activities that focus on enrollment opportunities to age-ins (who have not made an enrollment decision), marketing by 5-star plans regarding their continuous enrollment SEP, and marketing to dual-eligible and LIS recipients who, in general, may make changes once per calendar quarter during the first nine months of the year.
  - ~ At the request of the consumer or member, send marketing materials (i.e. when a consumer or member makes a proactive request.
  - ~ At the consumer or member's request, have a personal/individual marketing appointment to facilitate an enrollment.
- Conduct marketing/sales activities, appointments and events in common areas of a healthcare setting, (e.g., common entryways, vestibules, waiting rooms, hospital or nursing home cafeterias, and community, recreational or conference rooms) after obtaining approval from the provider.
- Conduct a marketing/sales event directly following an educational event, at the same venue. In addition to all other guidelines, the following guidelines apply:
  - ~ If applicable, advertisements that contain content for both an educational event and a marketing/sales event must make it clear that the educational event and marketing/sales event are separate and clearly identify which event is applicable for any meals, gifts, giveaways or activities. Advertisements must not be misleading (e.g., misleading that a meal will be available for a marketing/sales event) and must clearly identify that the educational event is for educational purposes only and that the marketing/sales event will contain marketing/sales activities.
  - ~ Both events must be conducted in its entirety and compliant with all applicable rules.
  - ~ Consumer must be made aware of the change in events and must be provided an opportunity to leave
- You must not conduct marketing/sales activities (e.g., present, display, distribute, or pre-set marketing materials) during an educational event and must not conduct activities (e.g., serving a meal) only allowed during an educational event during a marketing/sales event.
- Provide a nominal gift and refreshments to attendees with no obligation.
- Distribute compliant brochures and enrollment materials.
- Hand out business cards.

## Section 5: How do I Conduct Educational and Marketing/Sales Activities?

- Provide and/or discuss plan specific information (e.g., premiums, cost sharing, or benefits) during a valid marketing and election period. Effective 10/01/2018, agents are permitted to simultaneously market current year plans and prospective year plans starting on October 1, provided the marketing materials clearly indicate what plan year is being discussed.
- Include educational information or an educational component to marketing/sales activities, appointments, or events.
- Formally present benefit information to the consumers using UnitedHealthcare and CMS-approved materials.
- Solicit and accept enrollments during a valid marketing and election period.
- Assist consumers with the completion of an enrollment application using approved methods of enrollment and submission.
- Market health-related products if the consumer is aware of the scope of products at the start of the sales event and for a personal/individual appointment, if discussion concerns only previously agreed upon products in the SOA. Examples of health-related products include medical, dental, prescription, and long-term care.
- For informal and formal marketing/sales events:
  - ~ Conduct a marketing/sales event immediately following an educational event at the same venue provided each event, in its entirety, is conducted separately and in compliance with applicable rules.
  - ~ For a formal event when only one consumer is present, offer to the consumer the option of conducting the event in a sit-down style, similar to a personal/individual marketing appointment, rather than in an audience-presenter format. However, you must still complete a full presentation of the reported plan.

### Informal Educational or Marketing/Sales Events

In addition to all other regulations, rules, policies, and procedures related to educational and marketing/sales activities, the following guidelines apply to informal educational and marketing/sales activities:

Agents must:

- Post a visible notice, indicating the time of return, when leaving the event unattended for any reason (e.g., lunch break, assisting another consumer).
- Post the dates you will be onsite if recurring events utilizing a UnitedHealthcare-provided kiosk are scheduled.
- Place the table/booth/kiosk in a manner to protect against the disclosure of consumer PHI/PII.

Agents must not:

- Conduct an event in such a way as to obstruct the consumer's entrance or exit from the venue or to give any impression that attending the event is a requirement to visiting the venue.
- Proactively approach consumers anywhere in the venue. Consumers must initiate contact with you. You may greet passersby (e.g., Good Morning, Hello).
- Conduct an event in a provider setting (e.g., pharmacy, clinic, hospital) without first obtaining permission from the provider.
- Leave the event unattended during the advertised event time or when a sign indicates that you will be available.

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Agents may:

- Wait behind the booth/table for a consumer to request information.
- Begin the event with a short introductory presentation conducted in an audience/presenter format, which must not include a plan presentation. The introductory presentation may include an agent introduction and/or Medicare, health care, and/or plan educational content and may be provided by the agent conducting the event or a non-licensed individual such as a provider (all rules related to provider-based activities apply).

### **UnitedHealthcare MedicareStore**

UnitedHealthcare MedicareStores are considered a UnitedHealthcare office. In addition to all other regulations, rules, policies, and procedures related to marketing/sales activities, the following guidelines apply:

- Days and hours of operation as a UnitedHealthcare office must be reported in UnitedHealthcare's event reporting application. However, when operated as a UnitedHealthcare office, the activity is not considered a formal or informal marketing/sales event.
- You must obtain a SOA from the consumer prior to discussing any Medicare Advantage and/or Prescription Drug Plan (Refer to the SOA section).
- If a formal or informal marketing/sales event takes place within a UnitedHealthcare MedicareStore, all guidelines, regulations, rules, policies, and procedures related to marketing/sales events as noted within this guide apply.
- Activities and promotions to drive visitors to the UnitedHealthcare MedicareStore must comply with all CMS regulations and UnitedHealthcare rules, policies, and procedures, e.g., offering free hearing exams to increase store attendance is prohibited because offering a health screening during a marketing/sales activity is prohibited.

### **Online Events and Appointments**

In addition to all other regulations, rules, policies, and procedures related to educational and marketing/sales activities, the following guidelines apply for online events and appointments:

- UnitedHealthcare is provider agnostic and does not promote, endorse or approve one online meeting provider over another.
- UnitedHealthcare does not promote, endorse, or approve online meeting service providers (e.g., Skype, WebEx, FaceTime) and other video chat devices or applications.
- You must take steps to protect consumers during an online interaction, including but not limited to, requiring an event password, muting attendee's lines, and disabling cameras when applicable.
- You must meet a consumer's accessibility need, such as closed captioning features, a sign language interpreter, providing materials in advance, and telephonic participation.

### **Online One-on-One Marketing Appointments**

You are permitted to conduct online one-on-one (personal/individual) marketing/sales appointments. The following guidelines apply for online one-on-one marketing/sales appointments:

- You must conduct a needs assessment in order to determine and present the best plan suited for the consumer and determine consumer eligibility.

## Section 5: How do I Conduct Educational and Marketing/Sales Activities?

- For MA plan and PDP enrollments, the consumer must have an Enrollment Guide at the time of enrollment. For a Medicare Supplement plan enrollment, the enrollment kit must be provided to the consumer prior to enrollment. You must provide an Enrollment Guide for MA plan or PDP or enrollment kit for Medicare Supplement plan presentations via postal mail or email (if the consumer provides permission). Materials may be postal mailed or, with consumer permission, a PDF version emailed. You may add their writing number to the enrollment application prior to providing the Enrollment Guide to the consumer.
- A **complete** presentation of the identified plan must be provided.
- After the sales presentation, you may assist the consumer with the completion of the enrollment application using approved methods of enrollment and submission. You are prohibited from enrolling a consumer who is not **physically present** in the United States as of the signature date on the enrollment application.

### Online Events

You are permitted to conduct online formal educational and marketing/sales events. The following guidelines apply for online events:

You must not:

- Conduct an online informal event.
- Complete an enrollment during an online event.
- Create a resource by recording a live online event. A recorded online event is considered a marketing material and is subject to all rules, including required submission to CMS.

You may:

- Use the Medicare Made Clear® presentation.
- Allow consumers to utilize the online meeting chat function to ask questions or interact with the agent.
- Provide your contact information via the online meeting service provider chat/survey/poll function and advise the consumer may contact you to schedule a future appointment.
- Obtain PTC in a compliant manner. For example, you may provide compliant call-to-action – Permission to Contact text in the online meeting chat. You must collect any PTC provided from the online meeting service provider. All PTC guidelines including retention apply.

### Online UnitedHealthcare facilitated formal marketing/sales online events

The following guidelines apply for UnitedHealthcare facilitated formal marketing/sales online events.

- All events must be approved by and scheduled with a UnitedHealthcare agent manager or business development manager online using Zoom as the service provider. Approval is at the discretion of the agent manager or business development manager.
- Upon approval, the agent manager or business development manager must schedule the Zoom and provide the Zoom URL to you. You must coordinate with your agent manager or business development manager to report the event (including the Zoom URL in the Venue field) in UnitedHealthcare's event reporting application (refer to the event reporting section for details).
- Prior to advertising the event, you must have approval to conduct the event and secure a date and time for the event.

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- The event must be advertised using pre-approved material from the UnitedHealthcare Toolkit, which must contain all required disclaimers. You must update the pre-approved RSVP communication template available on the UnitedHealthcare Toolkit with event-specific details.
- The event must be facilitated by an agent manager, business development manager, or an agent selected and provided with a Zoom host key. An agent selected to facilitate the online event using Zoom must ensure they are prepared with the meeting date and time, meeting ID, passcode, and the host key.
- You must have access to Mira. Alternatively, the agent manager or business development manager must manage all leads produced from the online event in Mira on behalf of the agent who does not have a Mira account.
- When a consumer calls to RSVP, the agent:
  - ~ May request permission to contact (PTC) for future contact.
  - ~ Must create or have created on their behalf an opportunity in Mira for each consumer that RSVPs and provides PTC.
- During the event, you must use pre-approved presentation materials available on the UnitedHealthcare Toolkit and/or Sales Materials Portal and may only customize/personalize to the extent permitted in the UnitedHealthcare Toolkit or Portal.
- You must not contact attendees using a Zoom roster. The roster is considered the same as a sign-in sheet used at an in-person event, which does not provide PTC.

### Gifts and Meals/Refreshments

#### Gifts

You may offer nominal gifts (i.e. giveaway) to consumers at all educational and marketing/sales activities as long as such gifts are of nominal value (\$15 or less \$75 aggregate, per person per year), provided the gift is given regardless of whether the consumer enrolls and without discrimination.

- Gifts and giveaways offered by agents for attending marketing/sales activities must not be items or services that are considered drug or health benefits, including optional mandatory supplemental benefits (e.g., a free checkup, health screening, hearing test; blood pressure and/or cholesterol checks). Note: You are allowed to hold marketing/sales events at health fairs where health screenings are occurring as long as there is a separation between your location and the health screening booth, and you are not providing, or does not appear to be providing, health screening services to the consumers.
- Gifts must not be food items or refreshments that in type or quantity, regardless of value, could reasonably be considered a meal or that are **not** intended for on-site consumption (e.g., beverages in cartons larger than single serve, raw or unprepared items such as raw eggs or garden produce, and food bank distribution items).
- If a nominal gift is a chance to receive one large gift or a communal experience (e.g., a concert, raffle, drawing), the total fair market value must not exceed the nominal per person value (\$15) based on anticipated attendance. For example, if 10 people are expected to attend an event, the nominal gift may not be worth more than \$150 (\$15 for each of the 10 anticipated attendees). Anticipated attendance must be based on venue size, response rate, and/or advertisement circulation.
- Nominal gifts in the form of cash or other monetary rebates are prohibited even if their worth is \$15 or less. The following are prohibited regardless of value or merchant: gift cards (except gift cards allowed under an approved marketing promotion as noted below), gift certificates,

## Section 5: How do I Conduct Educational and Marketing/Sales Activities?

vouchers, coupons or charitable contributions made on behalf of the consumer regardless of event type or venue. Gift card promotions are not permitted unless approved by Legal; Marketing and Sales Compliance; and the applicable Regional Vice President of Sales prior to implementation. Any gift card distributed as part of a marketing promotion must not be convertible to cash or redeemed for Medicare-covered items or services such as prescriptions. Any mechanism for collecting the consumer's contact information in order to process the request must not be used for lead generation and/or permission for contact purposes.

### ▪ Contests and Drawings

- ~ When no prize, regardless of value, is to be awarded to a contest winner, you may conduct in-person or online BINGO games or conduct drawings without obtaining approval, from UnitedHealthcare and completing Rules of Entry documentation requirements. Examples of acceptable acknowledgement of a winner include applause or certificate.
- ~ When a nominal prize (does not exceed \$15 in combination with all other giveaways, including refreshments) is to be awarded to a contest winner, the following requirements must be met:
  - The individual indicated as the "Presenting Agent" must complete, retain, and make available upon request a UnitedHealthcare Rules of Entry document (available on Jarvis) for the applicable contest; AND
  - All requirements outlined in the Rules of Entry document must be met, including prize value limits, alternate means of entry option, posting the Rules of Entry document at in-person events and displayed or announced at online events, and limitation on use of consumer contact information.
- You must obtain written approval from UnitedHealthcare prior to reporting and conducting an event where a drawing will be conducted with a prize worth more than \$15. A detailed contest proposal must be submitted to [compliance\\_questions@uhc.com](mailto:compliance_questions@uhc.com) at least 30 days prior to the anticipated event date to ensure event reporting requirements can be met. When approved, requirements outlined in the "when a nominal prize is to be awarded to a contest winner" subsection above must be met except for the nominal value limit and includes the additional requirement that winners awarded a prize of \$30 or more must sign a liability waiver.

### Meals/Refreshments

- You may provide refreshments and/or meals, at educational events, if permitted by the venue.
- You may provide refreshments or light snacks at marketing/sales events, if permitted by the venue, and should ensure that the items provided could not be reasonably considered a meal and/or that multiple items are not being "bundled" and provided as if a meal.
  - ~ Appropriate examples of refreshments include pastries, cookies, bars, other dessert items, coffee, lemonade, and other non-alcoholic beverages.
  - ~ Inappropriate examples of refreshments include sandwiches, pizza, and other meal items.
- You must not provide any alcoholic beverages (e.g., beer, wine, or other alcoholic spirits) at any event.
- You must not provide or subsidize meals at a marketing/sales event or when any marketing/sales activity is performed, even if the meal is not sponsored by the plan and is a normal activity in that location (e.g., soup kitchen, senior center, cafeterias, food banks, nursing homes, and shelters).

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- The nominal retail value of all food items offered combined with all other giveaways, (e.g., promotional items) must not exceed \$15 per consumer with a maximum aggregate of \$75 per consumer, per year.

### Marketing/Sales Event Reporting\*

UnitedHealthcare requires all marketing/sales events, formal and informal, in-person and online be reported. Educational events do not need to be reported to UnitedHealthcare.

#### New Event Reporting

- All marketing/sales events must be received into UnitedHealthcare's event reporting application prior to advertising and no less than seven calendar days prior to the date of the event.
- You may submit a completed NEW Event Request Form, available on Jarvis.
- Each informal marketing/sales event (e.g., kiosk, booth) shift must be reported separately with a start and end time.
- The agent conducting the event (i.e. presenting agent) must be identified as the Presenter on the NEW Event Request Form.
- Agents who conduct unreported marketing/sales events or report an event less than seven calendar days before the date of the event without an approved exception (see below) are subject to corrective and/or disciplinary action up to and including termination.

\*Sales events reported by Market Point for the Multi-Carrier Program presenting Medicare Advantage products must be submitted to UnitedHealthcare in accordance with the requirements outlined in the "Multi-Carrier Program – Sales Events Submission and Reporting" agreement.

#### Event Reporting Exception Request

Marketing/sales events must be reported according to the guidelines outlined above. The following process is available when extenuating circumstances require a new event to be reported via the NEW Event Request Form less than seven calendar days before the desired event date.

- An exception request must be initiated by or on behalf of you and submitted to the regional Senior Vice President (SVP) for approval.
- After the SVP approval is given, the request must be submitted via email to [AgentOversightAdmin@uhc.com](mailto:AgentOversightAdmin@uhc.com) with the completed NEW Event Request Form.
- The exception request and event details are forwarded to the Director of Agent Oversight and the submitter is notified of the approval/disapproval.
- Approved events are forwarded to the PHD for entry into UnitedHealthcare's event reporting application.

#### Changes to a Reported Marketing/Sales Event

A change includes modification to any aspect of the previously reported event.

- Change requests must be submitted to UnitedHealthcare at least one business day prior to the scheduled date of the event.
- To ensure the one business day reporting requirement is met, you may submit a CHANGE Event Request Form to UnitedHealthcare at least six business days prior to the date of the event.

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- If the one business day requirement cannot be met, you must immediately contact your agent manager to discuss required action(s).
- When a change occurs to the venue location, date, start time and/or end time of an event, it is considered a cancellation and requires cancellation of the event and entry of a new event (new event reporting and cancellation notification rules apply). Refer to the “Cancellation of a Reported Event” and “Notification of Change/Cancellation” sections.
- When a change occurs to the presenting agent, the new presenting agent must meet credential validation (i.e. licensed and appointed, if applicable, in the state where the event will occur, certified in the product indicated, and has passed the applicable Events Basics assessment) in order for the change request to process.
- The agent manager is responsible for ensuring any necessary changes are made to reported events upon termination of an agent.
- Agents who fail to report changes to an event or report changes late are subject to corrective and/or disciplinary action up to and including termination.

### Cancellation of a Reported Marketing/Sales Event

Every effort should be made to avoid cancelling a reported event. If possible, another qualified agent should be utilized to conduct the event. Cancelling an event less than one business day before the scheduled start time is prohibited except in the case of inclement weather. In such cases, you are expected to exercise appropriate discretion when deciding a course of action.

- A change to the venue location, date, start time and/or end time of an event is considered a cancellation and all cancellation requirements apply.
- Cancellation requests must be submitted to UnitedHealthcare at least one business day prior to the scheduled date of the event.
- To ensure the one business day reporting requirement is met, you may submit a CANCEL Event Request Form to UnitedHealthcare no less than six business days prior to the date of the event.
- If the one business day requirement cannot be met, you must immediately contact your agent manager to discuss required action(s).
- The agent manager is responsible for ensuring any necessary cancellations are made to reported events upon termination of an agent.
- Agents who fail to cancel an event or report cancellations late are subject to corrective and/or disciplinary action up to and including termination.
- Event cancellation due to inclement weather or other circumstances outside of your control (e.g. venue will not allow the agent to be present) must be approved by the regional Senior Vice President and the following process completed:
  - ~ You must submit an email request to [AgentOversightAdmin@uhc.com](mailto:AgentOversightAdmin@uhc.com) and must include the completed CANCEL Event Request Form.
  - ~ The email request will be forwarded to PHD to cancel the event in the event reporting application.
  - ~ After the cancellation request has been processed, you will be notified.

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### Notification of Change/Cancellation

Consumer notification of a changed/cancelled marketing/sales event should be made, whenever possible, more than seven calendar days prior to the originally scheduled date and time. (Changes requiring consumer notification do not include change of presenting agent.)

- For advertised events, you are responsible for advertising the cancellation in the most feasible manner available based on method used to advertise the event and time between cancellation and the originally scheduled date and time. If it is not feasible to advertise the change/cancellation through the same means as the original advertisement (e.g., via newspaper), you are responsible for working with your agent manager on appropriate notification (e.g. posting a notification at the venue).
- You are responsible for ensuring notification to all consumers that RSVP to an event that has been cancelled (or the venue location, date, or time changed). Only consumers who provided Permission to Call (PTC) can be contacted by telephone.
- All steps taken to notify consumers must be documented (noting date, time, and method of notification). All cancellation notification documentation must be made available upon request.
- If the change/cancellation is reported to UnitedHealthcare less than seven calendar days before the original schedule date, a representative of the plan must be at the venue at the scheduled start time. The representative must remain at the venue of a formal marketing/sales event for at least thirty minutes after the scheduled start time to advise anyone arriving for the event of the change/cancellation and redirect attendees to another meeting in the area or provide a sales agent's business card. For informal events, a representative must remain for the entire scheduled time of the event. (Note: This requirement does not apply in cases of cancellation due to inclement weather; however, you must attempt to notify the venue and request a sign/notice be posted.)
- If the change/cancellation is reported and RSVPs have been notified seven calendar days or more before the original date of the event, then there is no expectation that a representative of the plan should be present at the site of the event.

### Request for a Sign Language Interpreter

Upon reasonable request by a consumer, UnitedHealthcare will provide a sign language interpreter at an in-person or online formal marketing/sales event or an in-person or online appointment at no charge to the consumer.

### American Sign Language (ASL) Interpreter

- Consumer requests for an ASL interpreter must be entered into Mira 14 or more calendar days prior to the formal marketing/sales event or marketing appointment.
- Agents without access to Mira or agents that have requests within 14 calendar days of the event or appointment must submit an American Sign Language Interpreter Request Form via email to the Producer Help Desk at [asl@uhc.com](mailto:asl@uhc.com).
- Within three business days after the request has been made, ASL services, Inc. will contact the agent to confirm the interpreter request and event/appointment logistics.
- To cancel an interpreter request, the agents with Mira access must close the contact in Mira. Agents without access to Mira must contact the PHD to cancel the appointment
- Cancellations with less than three business days' notice will be billable for the scheduled/appointment or a two-hour minimum.

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- Using a third party individual who is not an employee of the UnitedHealth Group or an approved ASL interpreter vendor is prohibited.

### Non-English Sign Language Interpreter

A consumer request for a non-English sign language interpreter will be addressed on an individual basis by forwarding the Sign Language Interpreter Request Form to the Civil Rights Coordinator at [UHC\\_Civil\\_Rights@uhc.com](mailto:UHC_Civil_Rights@uhc.com) for processing. Using a third party individual who is not an employee of the UnitedHealth Group or an approved sign language interpreter vendor is prohibited.

### Scope of Appointment

All personal/individual marketing appointments whether or not an enrollment results, require a SOA agreement. Educational and marketing/sales events do not require a Scope of Appointment agreement be obtained in advance of the event.

- You must obtain a SOA agreement through compliant methods from each Medicare-eligible consumer (including any unexpected Medicare-eligible individuals present) prior to the start of a personal/individual marketing appointment (e.g., in-person, telephonic, online, pre-scheduled, spontaneous, and regardless of the venue) when a Medicare Advantage and/or Prescription Drug Plan may be discussed.
- The agreement must capture the scope of products that the consumer agrees may be presented at the appointment and must reference MA and/or PDP products and may include other health-related products, such as Medicare supplement insurance, dental, vision, and hospital indemnity.
- A SOA agreement must be obtained regardless if a marketing appointment is initiated by the consumer or you.
- Compliant SOA mechanism includes:
  - ~ Electronic Scope of Appointment (eSOA). UnitedHealthcare makes LEAN eSOA available to field agents for in-person and remote signature (email or text message).
  - ~ Voice Signature. UnitedHealthcare makes LEAN Voice Signature available for field agents only when completing an enrollment application via LEAN Voice Signature is anticipated because other enrollment methods are not feasible. A SOA agreement obtained via LEAN voice signature process, regardless if an enrollment occurs, must use the telephonic voice signature process and include all required scripting to record the consumer's SOA attestation to discuss MA plans and/or PDP was verbally obtained by you at the beginning of the telephonic marketing appointment. You must document the confirmation number obtained via the telephonic voice signature process. Any documentation not captured in LEAN must be retained by you for 10 years and made available upon request.
  - ~ Paper or downloadable SOA available for field agents when conducting an appointment in-person or to obtain in advance of an appointment over the telephone. UnitedHealthcare provides SOA in each enrollment guide and as a downloadable stand-alone document on the Sales Materials Portal. A paper or downloadable SOA may be transmitted to a consumer in-person (agents must not engage in unsolicited contact), via postal mail, and/or via email (you must have permission to email prior to emailing).
  - ~ Consumers agreeing to an SOA via an Interactive Voice Recording (IVR) when initiating inbound calls to UnitedHealthcare Telesales agents.

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- ~ eAlliance agents/agencies and telephonic addendum entities recording an SOA using an approved script.
- ~ ISNP agents approved to use SightCall obtaining SOA when the consumer accepts SightCall's terms and conditions of use.
- A SOA agreement remains valid until the appointment is held or until the end of the applicable selling season.
- The consumer (or authorized legal representative) must select the product type that will be discussed and sign the SOA.
- Retention
  - A SOA agreement must be retained for a minimum of 10 years from the date of consumer signature and made available upon request.
  - ~ UnitedHealthcare will retain SOA agreements completed in LEAN (field agent), IVR (UnitedHealthcare Telesales agents), or SightCall (ISNP agents).
  - ~ Field agents who do not use LEAN to obtain an SOA must retain all completed SOAs.
  - ~ eAlliance agents/agencies and telephonic addendum entities must retain all recorded SOAs.
- Corrective and Disciplinary Action
  - An agent who does not obtain a SOA from all Medicare-eligible consumers or cannot provide a completed SOA upon request may be subject to corrective and disciplinary action.

### **Agent or Plan-Initiated Provider Activities in a Healthcare Setting**

Activities where either an agent requests contracted providers to perform a task or the provider acts on behalf of UnitedHealthcare. For the purpose of agent-initiated activities, you must ensure compliance with requirements applicable to communication and marketing.

Agent requests for providers to discuss benefits and cost sharing fall under the definition of marketing and are prohibited from taking place where care is delivered.

Contracted providers may:

- Make available, distribute and display communication materials in all areas of a healthcare setting.
- Provide or make available plan marketing materials and enrollment applications outside of the areas where care is delivered (such as common entryways, vestibules, hospital or nursing home cafeterias, and community, recreational, or conference rooms). All plan marketing materials (including but not limited to posting on a provider website) must be approved by the plan and filed with CMS if required.

Contracted providers must remain neutral when assisting consumers with enrollment decisions.

Contracted providers must not:

- Accept/collect SOA forms.
- Accept MA/PDP enrollment applications.
- Make phone calls or direct, urge, or attempt to persuade patients (or consumers) to enroll in a specific plan based on financial or other interest of the provider.
- Mail marketing materials on behalf of the agent or UnitedHealthcare.

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- Mail provider affiliation announcement that include plan marketing content.
- Offer inducements to persuade patients to enroll in a specific plan or organization.
- Conduct health screenings (e.g., hearing tests) as a marketing activity.
- Distribute marketing materials/applications in areas where care is delivered.
- Offer anything of value to induce enrollees to select them as their provider.
- Accept compensation for any marketing or enrollment activities.
- Identify, provide names, or share information about existing patients with the plan or agent for marketing/sales purposes.

Note: An Institutional Special Needs Plan (I-SNP) is permitted to offer plan information for educational purposes at the time of admission, due to the institutional nature of the plan.

### **Agent or UnitedHealthcare Activities in the Healthcare setting**

You may conduct sales activities, including sales presentations, the distribution of marketing materials, and the distribution and collection of enrollment applications in common areas of a healthcare setting. Common areas in a healthcare setting include, but are not limited to common entryways, vestibules, waiting rooms, hospital or nursing home cafeterias, and community, recreational, or conference rooms. Communication materials may be distributed and displayed in all areas of the healthcare setting.

You must not market in restricted areas (generally includes, but not limited to: exam rooms, hospital patient rooms, treatment areas where patients interact with a provider and their clinical team and receive treatment (including dialysis treatment facilities), and pharmacy counter areas (where patients interact with pharmacy providers or obtain medications)).

### **Provider-Initiated Activities**

Provider-initiated activities are activities conducted by a provider (including a pharmacist) at the request of the patient, or as a matter of a course of treatment, and occur when meeting with the patient as part of the professional relationship between the provider and patient. Provider-initiated activities do not include activities conducted at the request of UnitedHealthcare, agent, or pursuant to the network participation agreement between UnitedHealthcare and the provider. Provider-initiated activities as defined by CMS fall outside of the definition of marketing. Permissible provider-initiated activities include:

- Distribute unaltered, printed materials created by CMS, such as reports from Medicare Plan Finder, the “Medicare & You” handbook, or “Medicare Options Compare” (from [www.medicare.gov](http://www.medicare.gov)) including in areas where care is delivered;
- Provide the names of plan sponsors with which they contract and/or participate;
- Answer questions or discuss the merits of a plan or plans, including cost sharing and benefit information (these discussions may occur in areas where care is delivered);
- Refer patients to other sources of information, such as State Health Insurance Assistance Program (SHIP) representatives, plan marketing representatives, State Medicaid Office, local Social Security Office, CMS’ website at [www.medicare.gov](http://www.medicare.gov), or 1-800-MEDICARE;
- Refer patients to Plan marketing materials available in common areas; and
- Provide information and assistance in applying for the Low Income Subsidy (LIS).

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### **Tribal Lands Marketing**

Tribal land is sovereign. As the Bureau of Indian Affairs explains, “Tribal sovereignty ensures that any decisions about the tribes with regard to their property and citizens are made with their participation and consent. ... Tribes, therefore, possess the right to form their own governments; to make and enforce laws, both civil and criminal; to tax; to establish and determine membership (i.e. tribal citizenship); to license and regulate activities within their jurisdiction; to zone; and to exclude persons from tribal lands.” (Reference: [www.bia.gov/FAQs](http://www.bia.gov/FAQs))

Prior to conducting marketing/sales or educational activities on tribal land, you must:

- Familiarize yourself with the customs and instructions of the tribe as they pertain to such activities and
- Contact tribal elders to confirm custom and instructions, as well as to receive permission to market, sell, or conduct educational activities.

In addition, you must also adhere to all other applicable federal, state, and UnitedHealthcare rules, regulations, guidelines, and policies and procedures when marketing, selling, or conducting educational activities on tribal land.

### **Marketing in a State with a Medicare-Medicaid Plan (MMP)**

An MMP is a CMS and state run test demonstration program where individuals receive Medicare Parts A and B and full Medicaid benefits. MMPs are designed to manage and coordinate both Medicare and Medicaid and include Part D prescription drug coverage through one single health plan. Eligible individuals generally are, enrolled passively into the MMP with the ability to opt-out and choose other Medicare options.

- Nine states have a signed Memorandum of Understanding (MOU) with CMS establishing parameters of state demonstrations and they include California, Illinois, Massachusetts, Michigan, New York, Ohio, Rhode Island, South Carolina, and Texas. Eligibility and marketing requirements for MMPs vary by state. CMS and the applicable state jointly determine MMP program requirements. You are responsible for ensuring that they are aware of state marketing requirements and should obtain that information through individual state MMP websites or through their agent manager. UnitedHealthcare is a participating carrier in Ohio and Texas (see OH and TX MMP sections below). In states where an MMP is available, regardless if UnitedHealthcare is a participating carrier, you must comply with the following guidelines:
  - ~ Consumers who choose to opt-out, must do so themselves.
  - ~ You are not allowed to disenroll an individual from an MMP or market directly to MMP members.
  - ~ Enrollment in an MA plan/MA-PD (including DSNP) will automatically disenroll the member from their MMP.
  - ~ You must support the state’s efforts to enroll full dual eligible consumers in an MMP where available.
  - ~ Direct full dual consumers to the state Medicare Consumer Hotline when a consumer has additional questions regarding the MMP program.
  - ~ You must not disparage the respective programs or make material misrepresentations about the program’s possible impact.
  - ~ You must not interfere with state enrollment process.

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- ~ You must not inappropriately promote/retain membership in an MA plan or steer dual eligibles away from state plans when it is not the best fit for the consumer.
- ~ You must not call current MMP members to promote other Medicare plan types.
- ~ You must not use “scare tactics” about the program’s possible impact on consumers.
- ~ Specific marketing rules apply when a Medicaid consumer resides in an area where an MMP exists. You must be aware if an MMP is available and if UnitedHealthcare is participating in the MMP.
- ~ If you do not follow regulations, rules, policies, and procedures, you may be subject disciplinary action.

### Ohio “MyCareOhio” MMP (effective May 2014)

UnitedHealthcare participates in MyCareOhio, Ohio’s MMP, in Columbiana, Cuyahoga, Geauga, Lake, Lorain, Mahoning, Medina, Portage, Stark, Summit, Trumbull, and Wayne counties. The following guidelines apply:

- You must know if there is an MMP in the state, the service area of the MMP, what to do if UnitedHealthcare is participating, and what to do if UnitedHealthcare is not participating.
- If an MMP-eligible consumer resides in a county where UnitedHealthcare does not have an MMP, the agent is permitted to market to and enroll the consumer in any plan offered by UnitedHealthcare. If the consumer is not full dual-eligible, you may market a UnitedHealthcare plan.
- If there is a UnitedHealthcare MMP available and the consumer is a full dual-eligible, you must contact the Producer Help Desk to determine if the consumer is a possible MyCareOhio member. If the consumer is enrolled in a UnitedHealthcare MMP, the UnitedHealthcare Members Matter team will contact the consumer.
- You must not present a plan or discuss any MA plan or DSNP options until the consumer has been contacted by the Members Matter team.
- If a warm transfer cannot be done because the call is after hours, the PHD representative will leave a voice message with the service request number for the Members Matter team to follow up with the consumer.
- The UnitedHealthcare Members Matter team will reach out to the UnitedHealthcare MMP member to provide education, clarify benefits, and/or resolve any issues that may have motivated the consumer’s request for a change in enrollment. If the member is satisfied with the MyCareOhio MMP plan, they will be invited to rescind their marketing request. If the member is not satisfied with their MMP plan, the member will be invited to move forward with their marketing request.

### Texas “STAR+PLUS MMP” (effective March 2015)

STAR+PLUS MMP is available in the following counties: Bexar, Dallas, El Paso, Harris, Hidalgo, and Tarrant. UnitedHealthcare only participates in Harris County.

- There are no specific procedures that must be followed prior to marketing a DSNP to a Texas consumer residing in a county where an MMP is available.

### **Privacy and Security**

Agents who fail to protect consumer/member PHI/PII may be subject to financial responsibility for the payment of identity theft protection (e.g., LifeLock) for impacted members resulting from the loss

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of a device containing PHI/PII (e.g., laptop, mobile/smart phone, or other portable electronic devices) and to corrective and/or disciplinary action up to and including termination.

Protected Health Information (PHI) – is individually identifiable information (including demographics) that relates to health condition, the provision of care/coverage, or payment of such care.

Personally Identifiable Information (PII) – is a person’s first name or first initial and last name in combination with one or more of the following: Social Security Number, Driver’s License or State Identification Card Number, credit card number or debit card number, unique biometric data (e.g., fingerprint, retina or iris image), tax information, or an Account Number in combination with any required security code, access code, or password that would permit access to an individual’s financial account.

Interpretation of the above definitions of PHI/PII is dependent upon the how the consumer/member information is held (stored), used or treated and the definitions may overlap. PHI exists when held by a HIPAA Covered Entity (health plan) or a Business Associate of one (vendor, agent, etc.).

To ensure the proper handling of PHI/PII and maintenance of consumer privacy, the following guidelines apply:

You must:

- Protect the privacy and security of consumer/member PHI/PII at all times.
- Carry only the minimum amount of hard copy documents containing PHI/PII necessary to complete the day’s activities.
- Keep documents containing PHI/PII with them at all times while conducting educational or marketing/sales activities or events, placing documents in a folder or locked briefcase.
- Keep documents containing PHI/PII in a secure locked area (e.g., file cabinet).
- Encrypt all laptops, computers, smart phones, mobile phones, or other portable electronic devices in a manner so PHI/PII contained on laptops, computers, or other portable electronic devices is unreadable, undecipherable, or unusable.
- Position monitors, laptops, and other screens to minimize viewing PHI/PII by unauthorized personnel or the general public.
- Double check the fax number or email address to ensure the intended recipient receives the document. Email PHI/PII using a secure-encrypted program.
- Use a fax cover sheet containing the HIPAA Privacy Statement when faxing PHI or PII.
- Include the HIPAA Privacy Statement when emailing PHI or PII.
- Dispose of documents containing PHI/PII in a secure manner (e.g., shred).
- Report suspected privacy incidents to UnitedHealthcare Privacy Office at [uhc\\_privacy\\_office@uhc.com](mailto:uhc_privacy_office@uhc.com), agent manager/leadership, Segment Compliance Lead, UnitedHealth Group Ethics & Compliance Help Center at 1-800-455-4521, or [compliance\\_questions@uhc.com](mailto:compliance_questions@uhc.com).

You must not:

- Leave hard copy documents unattended in an area where the documents could be viewed by others (e.g., desk, vehicle, table, or booth).

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- Discuss consumer/member information in public spaces including halls, elevators, lobbies, lunchrooms, cafeterias, restaurants, lavatories, parking lots, or other unsecured public places where the conversation could be overheard. You must be cognizant of eavesdroppers and others who may appear to be interested in your business.
- Leave laptops and/or documents containing PHI/PII unattended or unsecured outside the workplace (e.g., at home, at a hotel, while traveling, unattended in a vehicle).
- Share, store, or use consumer/member information inappropriately.
- Request a consumer/member Medicare (or similar) account username or password and must not create an account on behalf of a consumer/member.
- Store PHI/PII in virtual (cloud) storage unless you (or agency, if you are employed by an agency) has a proper Business Associate Agreement in place with the cloud storage provider, and the cloud storage where PHI/PII is stored has appropriate security controls (e.g., encryption, logging, etc.).
- Share user ID's/passwords to UnitedHealthcare systems with others.
- Put consumer/member information on a jump drive (or similar portable storage device) and enable a technical control to restrict use of such devices. Formally documented business justification is needed if portable storage is necessary to conduct business and the device must be enabled with a minimum of 256 bit encryption.
- Scan and/or store paper enrollment applications or business reply cards (BRCs) electronically, except when employee agents use UnitedHealthcare approved applications/platforms (e.g., Optum Technology Tiger Text, Workspace One or employee's home directory) or when appropriate encryption software is in place to ensure the protection of private data transmission.
- Throw hard copy documents containing PHI/PII in the garbage, unless they have been shredded.

### Marketing to Consumers with Impairments or Disabilities

Agents serving the Medicare eligible population must be aware of and sensitive to the needs that might reasonably be expected within the defined population. Upon request or becoming aware of a situation requiring special accommodations, you must take appropriate actions based on the consumer's linguistic barrier or disability (e.g., obtaining language translation services, access to venue, or rescheduling an appointment to ensure the consumer's authorized legal representative is present).

Section 1557 of the Patient Protection and Affordable Care Act prohibits discrimination in certain health programs or activities and extends nondiscrimination protection to consumers. You may not discriminate based on race, ethnicity, national origin, religion, gender, sex, age, mental or physical disability, health status, receipt of health care, claims experience, medical history, genetic information, evidence of insurability, or geographic location.

You may not target consumers from higher income areas or state/imply that plans are only available to seniors rather than to all Medicare beneficiaries. Special Needs Plans (SNP) and Medicare – Medicaid Plans (MMP) may limit enrollments to consumers meeting eligibility requirements based on health and/or other status. Basic services and information must be made available to consumers with disabilities, upon request.

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### Consumers with Linguistic Barriers

The Centers for Medicare and Medicaid Services (CMS) provides a list of non-English languages that meet the 5% threshold for each Medicare Advantage (MA) plan and Prescription Drug Plan (PDP). UnitedHealthcare downloads the CMS provided Marketing Language Lookup through the Health Plan Management System (HPMS) in the Marketing Review Module. If the service area of any plan (active or pending) changes after July 1, UnitedHealthcare must conduct its own demographic analysis to determine if the plan has a non-English language meeting the 5% threshold. Instructions on how to perform analysis are contained in the CMS Medicare Part C& D Language Data Technical Notes.

If the primary language of 5% or more of the Medicare consumer population of the service area is a non-English language, the required materials for enrolling consumers and renewing members (e.g., Summary of Benefits, Enrollment Application (including Statement of Understanding), Evidence of Coverage (EOC), Annual Notice of Change (ANOC), Star Ratings, the comprehensive or abridged Formulary, Provider Directory and Pharmacy Directory) will be translated into the identified language upon request.

In addition, UnitedHealthcare provides information regarding the availability of no-cost interpreter services in the enrollment guide, ANOC/EOC, and other significant communications. The information instructs consumers/members on how to obtain no-cost communication services, including the obtainment of an interpreter and/or materials in a variety of non-English languages and alternate formats.

### Written Materials (Medicare Advantage Plans)

- If UnitedHealthcare is required to provide materials to enrolling consumers and renewing members in an alternate language for an identified geographic area, approved materials in the non-English language will be available to you for order and/or download in the same location as the English version (e.g., Sales Materials Portal).
- To request the development of custom, non-English materials or the translation of approved materials into a non-English language, you must submit a request to your UnitedHealthcare agent manager for approval from the Sales Regional Vice President.

### Translation / Interpreter Services

When a consumer speaks a non-English language and is having difficulty understanding or maintaining a conversation in English and you are not fluent in the non-English language, you must utilize one of the following resources:

- The consumer may be accompanied by and/or authorize an individual, of their choosing, to translate/interpret the information and/or materials. You should make sure the individual assisting the consumer is capable and competent, which generally means the individual is an adult and is capable of translating/interpreting the appropriate meaning of the content from English to the non-English language and vice versa.
- If you are not fluent in the applicable language, you must do one of the following:
  - ~ Direct the consumer to obtain the no-cost interpreter service through the UnitedHealthcare Telesales call center.

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- ~ Refer the consumer to a field agent contracted with UnitedHealthcare who is fluent in the applicable language. Note: Permission to Contact (PTC) rules apply.
- ~ Through the assistance of your UnitedHealthcare agent manager, enlist the assistance of a UnitedHealthcare employee fluent in the applicable language. You are permitted to use employees of the same agency or up-line fluent in the applicable language or an interpreter services vendor contracted by your agency/up-line. You are prohibited from using individuals who are not employees of UnitedHealthcare (or, for EDC agents, your agency/up-line) or a contracted vendor.
- ~ During a phone conversation or at a personal/individual marketing appointment, access translation services through UnitedHealthcare's Internal Language Interpretation Services.
  - o Dial 1-877-530-9750 (24 hours per day, seven days per week)
  - o Select the appropriate prompt based on the desired language;
  - o If routed to Language Line Solutions (Teleperformance), enter access code based on channel and select the appropriate prompt based on the desired language
    - **Non-employee agents** – 9 digit region code
      - EDC West – 016614377
      - EDC Central – 026614377
      - EDC Northeast – 036614377
      - EDC Southeast – 046614377

If the consumer prefers to communicate in a language other than English, you should ensure the consumer's preference is indicated in the appropriate field on the enrollment application.

### Consumers with Disabilities

Basic plan information must be made available in alternate forms to consumers with disabilities, such as visual or hearing impairments, upon request.

### Hearing Impaired:

- Member Services maintains a TDD/TTY line to respond to marketing and membership questions from hearing impaired individuals. The TDD/TTY phone number must be listed on all advertising materials that include a telephone number and the enrollment application.
- If you encounter a hearing-impaired consumer, you may:
  - ~ Provide the enrollment guide to enable the consumer to read the materials.
  - ~ Allow the consumer to be accompanied by an individual of their choosing, who can translate/interpret the information and/or materials.
  - ~ If the consumer has an authorized legal representative, provide the enrollment guide directly to the consumer's authorized legal representative for review and enrollment purposes.
  - ~ Provide closed captioning upon request for online formal marketing/sales event presentations.
- Upon consumer request, a sign language interpreter must be provided at an in-person or online formal marketing/sales event or an in-person or online personal/individual marketing appointment at no charge to the consumer. Sign language interpreters are not required to be provided at informal marketing/sales events or educational events. You must not provide a third-party individual who is not an employee of UnitedHealth Group or an approved sign

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language interpreter vendor. Whenever possible requests (new and change) should be made 14 or more calendar days prior to the date the interpreter is needed to ensure the vendor (e.g., ASL Services, Inc.) has adequate time to schedule an interpreter. Every effort will be made to obtain an interpreter if the request (new or change) is made within 14 calendar days of the date needed; however, alternate arrangements, such as rescheduling the appointment or requesting the consumer attend another event, may be needed.

### ~ American Sign Language (ASL) Interpreter Requests

- Agents with access to Mira can request an ASL interpreter by selecting “Request American Sign Language Interpreter” in Mira. To use Mira, the request must be entered 14 or more calendar days prior to the date the interpreter is required.
- Agents without access to Mira, or who have requests (new or change) that cannot be entered in Mira because they are within 14 calendar days of the date the interpreter is required, must submit a completed ASL Interpreter Request Form (available on Jarvis) to the PHD via email at [asl@uhc.com](mailto:asl@uhc.com).
- Within three business days after the request has been made, ASL Services, Inc. will contact you, at the number on record, to confirm the interpreter request and event/appointment logistics.
- To cancel an interpreter request, you must close the contact in Mira. Cancellation with less than three business days’ notice will be billable for the scheduled event/appointment duration or a two-hour minimum. Agents without access to Mira should contact the PHD to cancel the interpreter request.
- Telesales will request an interpreter through ASL Services, Inc. when confirming the consumer’s RSVP hard-set appointment to a formal marketing/sales event.

### ~ Non-ASL Interpreter Requests

Non-ASL interpreter requests will be addressed on an individual basis. You must submit the Sign Language Interpreter Request Form (available on Jarvis) indicating the non-ASL interpreter request to the Civil Rights Coordinator at [UHC\\_Civil\\_Rights@uhc.com](mailto:UHC_Civil_Rights@uhc.com) for processing.

### **Vision Impaired:**

A visually impaired consumer may request materials in alternate formats through Customer Service. If you encounter a visually impaired consumer, you may:

- Read the materials verbatim to the consumer.
- Allow the consumer to be accompanied by an individual, of the consumer’s choosing, who can read/interpret the information and/or materials.
- If the consumer has an authorized legal representative, provide a complete enrollment guide directly to the consumer’s authorized legal representative for review and enrollment purposes.
- Direct the consumer to Customer Service to request materials in an alternative format. The requested material is provided at no charge to the consumer.

### **Physically Impaired:**

You must select event sites that are accessible to a physically impaired individual. If the event site is not accessible to consumers with disabilities, the event must be rescheduled or cancelled until a site with appropriate accommodations is found. You should choose a meeting site that is compliant with the Americans with Disabilities (ADA). For guidance when evaluating the accessibility of a meeting

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site, review the ADA website: <https://www.ada.gov/business/accessiblemtg.htm>. Upon reasonable request, you must also provide a wheelchair to a disabled individual at a formal marketing/sales event to provide an opportunity for the individual to attend the event.

A meeting site that is needed by most consumers with disabilities has the following six basic accessibility features that must be considered:

- Parking and Passenger Drop-Off Area
- Routes to the Building Entrance
- Building Entrance
- Routes to the Meeting Space
- Meeting Space
- Restrooms

### **Cognitively Impaired**

You should be aware that cognitively impaired consumers may live independently or within a residential facility. If there is any question about the consumer's cognitive ability, you should ask whether the consumer has an authorized representative (e.g., Power of Attorney). If the consumer has an authorized legal representative, you should reschedule the appointment for a time when the consumer's authorized legal representative can be present.

## Permission to Contact (PTC)

It is UnitedHealthcare policy that you comply with federal, state, and company regulations, rules, and requirements related to permission to contact and lead generation activities.

### **Permission to Contact Guidelines**

Permission to Contact (PTC) is permission given by the consumer to be called or otherwise contacted by a representative of UnitedHealthcare for the purpose of marketing a UnitedHealthcare Medicare product, including any Medicare Advantage (MA) plan, Prescription Drug Plan (PDP), or Medicare supplement insurance products.

- PTC only applies to the entity from which the individual requested contact, the duration and topic requested; is limited to the method of contact (e.g., permission to call, permission to email) in the PTC mechanism (e.g., business reply card); and must be given by the individual requesting contact and cannot be given on behalf of another individual (e.g., a husband cannot grant permission on behalf of his wife as each spouse must provide individual PTC). The PTC mechanism may include statements or options that would lead a consumer to reasonably understand they will be contacted to discuss Medicare insurance options or include the exact individual product types to be discussed such as Medicare Advantage, Part D Plans, or Medicare Supplement Insurance or refers to options collectively (e.g., Medicare insurance options).
- PTC expires once contact is made or 90 days after the original date of receipt for consumers requesting information on Medicare Supplement insurance or who are on the federal Do-Not-Call Registry or nine months after the original date of receipt for MA plan and PDP, whichever comes first. If you are receiving PTC from UnitedHealthcare, your up-line, or other third party sources, the original date of receipt may be prior to the date you obtain the PTC. You are

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responsible for ensuring PTC is valid and not expired prior to use. New PTC must be obtained in order to contact the consumer in the future.

- PTC must be documented (in Mira if available to you) and PTC documentation (e.g., lead source/business reply card) must be retained for ten years and made available to UnitedHealthcare upon request.

### **Prohibited Unsolicited Direct Contact**

Unsolicited contact means the consumer did not provide permission to be contacted by the particular method(s) of contact. Unsolicited direct contact is prohibited, except for the use of conventional postal mail. Direct contact includes, but may not be limited to, in-person, telephonic (including voice message, auto-dialed calls/messaging, and text messaging), electronic (including social media interactive functionality, direct messaging, and smart phone applications), email, and conventional postal mail. Examples of prohibited unsolicited direct contact include:

- Approaching a consumer in-person. Prohibited scenarios include, but are not limited to:
  - ~ Approaching a consumer in a common area (e.g., parking lots, hallways, lobbies, sidewalks).
  - ~ Approaching a consumer outside of an educational or marketing/sales event (e.g., you are participating at a volunteer or social/fraternal/service organization activity).
  - ~ Engaging in door-to-door solicitation, including any “bait-and-switch” tactics (e.g., marketing a product that does not require PTC in order to convert the marketing effort to a product that does require PTC). PTC requests must not include requests for permission to engage in door-to-door solicitation and having an address does not provide permission to engage in door-to-door solicitation.
  - ~ Distributing materials outside of an educational or marketing/sales event setting, such as leaving materials outside a residence, under a door to a residence, on a vehicle, or similar. (Note: You may leave materials at a consumer’s residence when you had a properly pre-scheduled personal/individual marketing appointment and obtained scope of appointment, but the consumer was a “no show”.)
- Contacting a consumer through telephonic means, including manual or automated dialing, voice messaging, or text messaging, or through electronic means, including proximity/push marketing, and smart phone applications or social media interactive functionality (e.g., direct messaging). Prohibited scenarios include, but are not limited to:
  - ~ Any contact with a consumer when the consumer did not provide PTC through a compliant means to be contacted in that manner.
  - ~ Contacting a consumer that attended an event or to whom material was mailed under the guise of following up.
  - ~ Contacting a referred consumer.
  - ~ Contacting a UnitedHealthcare member for whom you are not the Agent of Record and you did not receive delegated PTC from UnitedHealthcare.
  - ~ Using lead contact information received from UnitedHealthcare to market any non-UnitedHealthcare product.
  - ~ Using lead contact information obtained from Mira for a consumer with whom you do not have a relationship unless UnitedHealthcare has delegated PTC and authorized an outbound call as part of a marketing campaign.

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- ~ Engaging in any “bait-and-switch” tactics (e.g., marketing a product that does not require PTC in order to convert the marketing effort to a product that does require PTC).
- ~ Contacting a former member who voluntarily disenrolled or a current member in the process of voluntarily disenrolling to market a product or plan, dissuade them from disenrolling, or to participate in any type of survey. In addition, you must not ask a disenrolling member for PTC to market plans in the future.

### **Permitted Direct Contact**

PTC must be obtained prior to making direct contact with the consumer, except when using postal mail (e.g., advertisements, direct mail). You must follow PTC guidelines described above. For telephonic contact, you must comply with applicable state and federal telemarketing rules, including but not limited to, the National Do-Not-Call Registry, the Telephonic Consumer Protection Act (TCPA), and federal and state calling hours. Permitted PTC mechanisms include the following:

- A consumer requests a return call from you, your agency, or UnitedHealthcare.
- A compliant Business Reply Card (BRC) or lead card submitted by the consumer.
- A compliant online contact form/electronic BRC submitted by the consumer.
- An email sent by the consumer to you requesting contact.
- During permitted contact with the consumer, you request to renew PTC and the consumer consents to a future contact.

### **Delegated Permission to Contact - UnitedHealthcare**

UnitedHealthcare may contact any existing UnitedHealthcare member who meets the criteria listed below. If you are not the Agent of Record, you may only call an existing member in one of the following categories if PTC has been delegated by UnitedHealthcare to you. Delegation of PTC occurs when UnitedHealthcare provides the member’s contact information (i.e., name and phone number) to an External Distribution Channel (EDC) agent. You may only use the member’s Protected Health Information (PHI) or Personally Identifiable Information (PII) to the extent necessary to conduct business on behalf of UnitedHealthcare. Any other use of PHI/PII obtained through delegated PTC is prohibited.

- A current UnitedHealthcare Commercial member aging in to Medicare to discuss UnitedHealthcare Medicare products, including benefits, or to inform them of general plan information.
- A current UnitedHealthcare MA plan, PDP, or Medicare supplement plan member to discuss other UnitedHealthcare Medicare products, including benefits, or to inform them of general plan information.
- A current UnitedHealthcare Medicaid/MMP member to discuss UnitedHealthcare Medicare products, including benefits, or to inform them of general plan information.
- A consumer who submitted an enrollment application in order to conduct business related to the enrollment.

### **Delegated Permission to Contact – EDC Agency/eAlliance**

An EDC agency/eAlliance may delegate PTC to an agent in its down-line. Delegation of PTC occurs when your up-line provides the UnitedHealthcare member’s contact information (i.e. name and phone number) to you. You may only use the UnitedHealthcare member’s PHI/PII to the extent necessary to conduct business on behalf of UnitedHealthcare. Any other use of PHI/PII obtained

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through delegated PTC is prohibited. As an example, if a UnitedHealthcare member was enrolled by a solicitor under an eAlliance, the eAlliance is permitted to delegate PTC to another solicitor in its down-line for the purpose of conducting marketing/sales activities on behalf of UnitedHealthcare.

### **Implied Permission to Contact Current Client**

You may contact their current clients from another business relationship with whom you have a current, active contract or business relationship in other products (e.g., the consumer is a current in-force life, homeowners, or dental insurance policy client of the agent). You should be prepared to provide proof that the consumer was a current client at the time you contacted them to market a UnitedHealthcare Medicare product.

### **UnitedHealthcare Book of Business**

The AOR may contact members in their UnitedHealthcare book of business to the extent necessary to conduct plan business.

- Agents, including AOR, are prohibited from contacting a consumer/member who filed a complaint for which the agent is involved.
- You must not conduct plan marketing for the upcoming plan year prior to October 1 under the pretense of plan business.

UnitedHealthcare at its discretion may provide you access to your Book of Business member information. Provided member information must only be used to the extent necessary to conduct business (e.g., servicing members and member retention activities) on behalf of UnitedHealthcare. Any other use of provided member information is prohibited. Book of Business reports are confidential and proprietary information of UnitedHealth Group. Do not distribute or reproduce any portion without the express permission of UnitedHealth Group. All other rules, regulations, policies, and procedures apply. Please note that provided member information may not be reflective of all Book of Business or AOR information and does not impact commissions/incentives or renewal payments.

### **Outbound Calling Campaigns**

#### General Guidelines

The following guidelines apply to marketing/sales outbound calling campaigns by field agents on behalf of UnitedHealthcare or involving UnitedHealthcare portfolio of products.

- Call campaigns must adhere to all applicable rules, regulations, UnitedHealthcare policy, or UnitedHealth Group corporate policy.
- Agents/agencies and UnitedHealthcare must abide by the Telephone Consumer Protection Act (TCPA). The guidelines below apply for marketing/sales outbound calling campaigns via phone, text, and fax. The rules below are not an exhaustive list of all laws applicable to the campaigns.
  - ~ Pre-recorded messages are not allowed on residential or cell phones without prior express written consent. Prior express written consent must be consent to be marketed to; not just general consent to be contacted at a particular number.
  - ~ Auto-dialer calls are not allowed to cell phones without prior express written consent. Auto-dialer calls may be used to residential phones as long as an artificial or pre-recorded voice is not used.

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- ~ Manual calls to residential and cell phones may be made as long as artificial or pre-recorded voice is not used.
- You must be appropriately credentialed.
- You must only market products in the UnitedHealthcare Medicare Solutions portfolio and must not market any other products while calling on behalf of UnitedHealthcare.
- You must comply with state calling hour rules and must not call leads outside of the defined campaign time frame.
- Lead lists contain PHI/PII and must be protected and transmitted in compliance with UnitedHealthcare policy.
- Initial Lead lists provided by UnitedHealthcare must not be transmitted to individuals not participating in the outbound call campaign.
- Lead lists must be immediately and securely disposed in compliance with UnitedHealthcare policy once the calling campaign has completed and activity recorded in Mira.
- Lead data shared with agents participating in call campaigns may include only the minimum personal member information needed to conduct the campaigns (e.g., name, address, telephone, and Medicare Beneficiary Identifier (MBI) number to verify Medicaid level of eligibility). Any additional data must be deleted prior to agent distribution.
- Lead lists permission to contact status must be affirmed in Mira criteria with a PTC status of Yes (Y). Consumers that have revoked or changed their PTC must be filtered from the call campaign with contact status updates made to Mira.
- You must not replicate lead lists or use the lead lists beyond the completion of the call campaign. Paper lead lists provided to you must not be copied, scanned, photographed, photocopied, or allowed to be used in any other format than what was provided by UnitedHealthcare. Paper lead lists must not leave UnitedHealthcare possession or the location of the call campaign and must be returned to campaign leader upon completion of the calling session. At the discretion of UnitedHealthcare, copies of certain lead lists with sales activity notes may be retained after recording lead and contact activity in Mira. The lead lists must be securely stored by the sales office.
- You must abide by Scope of Appointment (SOA) guidelines when an outbound call results in a telephonic plan presentation and/or future in-person or telephonic marketing appointment. An SOA is not required in order to briefly list plan benefits as part of the outbound call campaign, the purpose of which is to schedule in-person marketing appointments.
- You must have an active current Mira account to participate in call campaign activity unless approved by the Sales Director. You must commit to using Mira to record successful attempts in converting a lead to an appointment or follow-up activity. If the Sales Director allows for an exception for you to participate in call campaign activity without having a Mira account, the sales team must have controls in place to ensure all call activity is documented in Mira.

### Community & State Medicaid Leads for Calling Campaigns

On a monthly basis, the National Lead Campaign Team may provide Medicaid member contact lists to Medicare & Retirement Sales Directors for call campaigns (i.e. call blitz). Sales Directors are responsible for the compliant execution of any Medicaid call campaigns in their market. Should a Sales Director entrust a call campaign to an Agent Manager within their hierarchy, the Agent Manager must also be aware of and abide by the following guidelines:

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- Call campaigns may occur in a UnitedHealthcare facility/office location or virtually (see the virtual outbound call campaign section).
- All call campaigns must be proctored and monitored by an Agent Manager or Sales Director during the call campaign. Proper coaching and talking points for the agents are the responsibility of the market Sales Director. Agents participating in-person must not be allowed to stay late or be left alone to make calls without a local sales leader present at all times.
- PTC Medicaid leads expires on the last day of the month the leads were obtained. Medicaid age-in leads expire after 3 months and non-age-in leads expire after 1 month. If the sales support coordinator enters contact information on a subset of Medicaid leads into Mira, PTC may be extended by you only if the Medicaid member provides it when you make contact to set a home appointment to present a DSNP. Once expired, leads must not be used for any purpose, including closed/lost campaigns in Mira.
- Leads that result in an appointment or other follow-up activity must be entered into the your Mira account within 24 hours and follow-up activity will be managed through Mira from that point.
- The sales leader proctoring and monitoring the call campaign must be able to provide an accurate accounting and tracking of all leads and outcomes at any point during the campaign.

### Local Market Outbound Calling Campaigns

The purpose of a local calling campaign (i.e. call blitz) is for a sales market to increase applications, make appointments and to build an agent's pipeline through targeted calls for all field sales channels (i.e. EDC, ICA and ISR). The outbound calling campaigns may take place on a daily, weekly, or monthly basis as lead volume permits. The strategy may be modified according to market changes/opportunities that arise. The following guidelines apply:

- Call campaigns may occur in a controlled non-public facility/office location through the coordination of local sales leaders with appropriate measures taken to secure privacy of both member and UnitedHealthcare information (e.g., acceptable site is an agency setting; unacceptable site is a coffee shop or restaurant) or virtually (refer to the virtual outbound call campaign section).
- A call campaign leader, generally an Agent Manager or Sales Director, must be identified and present during the entire outbound call campaign timeframe. Agent call activity must be monitored and coached immediately when necessary. Agents participating in-person must not be allowed to stay late or to be left alone without a local sales leader present at all times.
- PTC status must be affirmed in Mira criteria with a PTC status of Yes (Y). Consumers that have revoked or changed their PTC must be filtered from the call campaign with contact status updates made to Mira.
- The campaign leader or delegate (e.g., sales support coordinator) will manually track performance and communicate results of the calling campaign to the Regional Vice President, Regional Operations Director, and to the Sales Director.

### Virtual Outbound Call Campaign

A virtual call campaign takes place when the campaign leader and field agents participate from their respective locations rather than in-person as a group (see the C&S Medicaid and Local Market call campaigns sections) and may be employed when the market is managed by a remote or local leader. The purpose of a virtual call campaign (i.e. call blitz) is for a sales market to increase

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applications, make appointments, to build an agent's pipeline through targeted calls for all field sales channels (i.e. EDC, ICA and ISR) and/or accept enrollments. The outbound call campaign may take place on a daily, weekly, or monthly basis as lead volume permits using lead lists provided to agents via secure email. The strategy may be modified according to market changes/opportunities that arise.

The following call campaign guidelines also apply:

- Virtual call campaigns must be managed through the coordination of the remote or local market's sales leader(s) with appropriate measures taken to secure privacy of both member/consumer and UnitedHealthcare information.
- A virtual call campaign leader, generally a Business Development Manager (BDM) or Agent Manager, must be identified and available during the entire outbound call campaign timeframe dictated by the sales management team.
- The campaign leader (or delegate) must communicate to participating agents (e.g., WebEx or teleconference) campaign expectations and guidelines (e.g., use of Mira and secure email, calling time frame, expiration of PTC).
- Agent activity must be monitored and coached immediately when necessary.
- You must use secure email when emailing campaign results that contain consumer/member PHI/PII or provide the minimum necessary consumer information results via email (i.e. contact identification number/telephone number and outcome).
- The campaign leader or delegate will manually track performance and communicate results of the call campaign to the Regional Vice President, Regional Operations Director, and to the Sales Director.

### Lead Generation Guidelines

You are responsible for ensuring any lead, including those obtained from or provided by your up-line, meets all federal and state regulations and UnitedHealthcare business rules, prior to acting on the lead to market any UnitedHealthcare Medicare product.

#### Actionable Lead

A lead is the name and contact information of a consumer who might be contacted to market UnitedHealthcare Medicare products. To be considered actionable, the lead must be obtained through means compliant with federal and state regulations and UnitedHealthcare rules, policies, and procedures. Specifically, PTC has been obtained through compliant methods and has been documented. Refer to the Permission to Contact Guidelines section in this policy.

#### Lead Validation

Prior to use, you must validate that the lead was obtained through compliant means. You must document or obtain documentation that confirms that the lead source has qualified the lead(s) to ensure that the consumer, whose contact information has been provided, proactively requested contact for the purpose of marketing Medicare insurance products. Only compliantly obtained leads may be acted upon through direct methods of contact. Agent assisted enrollments that result from the use of non-compliant leads may result in corrective and/or disciplinary action for the agent and/or their up-line.

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Compliant means include, but are not limited to:

- Consumer submitted a compliant BRC (paper or electronic) or lead card. Agents receiving leads from their up-line should request documentation from their up-line that attests that the leads were obtained compliantly and are actionable.
- Consumer placed an inbound call, text, email, or voice message requesting to discuss Medicare insurance products. Based on the method of consumer outreach, you may respond accordingly, unless the consumer requests another preferred method of contact.
- The consumer is a current client of the contracted agent by virtue of having a current, active contract or business relationship in another product.

Non-compliant means include, but are not limited to:

- You receive the consumer's telephone number or email address as a referral from an individual other than the consumer. For example, a provider gives a list of patients to you or a client gives their neighbor's telephone number or email address to you.
- You use other sources to look-up a telephone number or email address provided by the consumer on a BRC or lead card where the telephone number or email address provided is not accurate or in-service.
- You engage in unsolicited contact (e.g., initiating contact with a consumer) via interactive communications on social media platforms or other communication applications to generate leads and to market Medicare insurance products.
- You generate a lead for a non-Medicare insurance line of business and use that information to market Medicare insurance products via prohibited unsolicited direct contact.

### Lead Validation Documentation

Upon request, you must provide documentation proving that a lead was actionable (i.e. proof that the lead generation mechanism was compliant and resulted in valid permission to contact).

- **Lead Mechanism Documentation \***  
Provide proof that the lead generation mechanism (e.g., paper or electronic) used to obtain the particular consumer's permission to contact contains all required elements, which include:
  - ~ Name of the individual consenting to being contacted
  - ~ Contact information (e.g., email address or phone number) and permitted method of contact (e.g., email or telephonically)
  - ~ The purpose of the contact or topic(s) to be discussed (e.g., scope of product)
  - ~ Explicit statement (e.g., By providing my contact information I am agreeing to be contacted by a licensed sales agent to discuss Medicare Advantage plans) or verbiage that reasonably expresses that the individual is providing permission to be contacted
  - ~ All required disclaimers (e.g., This is a solicitation for insurance)
- **Permission to Contact Documentation \***  
Provide proof that the consumer completed the lead generation mechanism.
  - ~ **Paper Lead Mechanism**  
Provide the completed paper document (e.g., lead card or BRC) or copied/scanned image of the actual paper document completed and submitted by the consumer.
  - ~ **Electronic Mechanism**

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- Provide documented evidence that captures the real-time consumer completion of an electronic lead form/eBRC (e.g., a documentation solution such as Jornaya or TrustedForm); or
- Provide documentation that provides evidence that the consumer completed the electronic lead generation mechanism. Acceptable documentation includes a lead system generated report or screenshot(s) from an internal lead system including the following data elements:
  - Name of the individual consenting to be contact as provided by the individual completing the form
  - Contact methods and/or contact information provided by the individual completing the form
  - Website static or dynamic URL (ad unit and consent language as seen by the individual providing permission)
  - Date and time the permission was provided
  - IP address of the individual providing permission
  - Explicit statement or verbiage indicating the consumer's consent to be contacted

\* An email summarizing the required element or attesting that the individual provided permission is not sufficient.

### Lead Referral Programs

UnitedHealthcare Sponsored Program

UnitedHealthcare does not currently sponsor a lead referral program.

### Agent Initiated Programs

You may choose to use a third party lead generating option, but are responsible for ensuring the leads are obtained compliantly, within compensation limits, do not violate any applicable fraud and abuse laws, including the federal anti-kickback statute, and are compliant with any and all applicable state and federal regulations. All PTC guidelines apply if designing and/or conducting an outbound call campaign using a purchased or otherwise obtained lead list. In the absence of documented PTC for a consumer on a lead list, only postal mail can be used to market any UnitedHealthcare Medicare product to the consumer.

### Compensation in Exchange for Lead

- You are not permitted to provide anything of value (e.g., gift card, flowers) to a consumer/member in exchange for a referral (i.e. contact information including name and telephone number/email).
- You must comply with CMS regulations related to compensation limits, commission splitting, and/or payments to non-licensed/appointed agents. UnitedHealthcare recommends agents consult with local legal counsel to determine the compliance of any compensation arrangements they make with referrers.

### Lead Collection Stations

Lead boxes and/or collection stations must comply with all CMS regulations and UnitedHealthcare rules, policies, and procedures related to obtaining PTC, contacting consumers, use of marketing

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materials, and marketing/sales activities. The following guidelines apply to the use of lead collection boxes and/or collection stations:

- The lead box or collection station must be secured in such a manner as to prevent the unauthorized access and use of any consumer's contact information. The collection box must be locked and either integrated in a fixture or attached to a fixture in such a manner that prevents unauthorized removal of the box and/or its contents.
- Permission from the venue must be obtained prior to placing a lead card box or collection station in any location.
- Rules pertaining to marketing materials in provider locations apply (e.g., stations cannot be placed where consumers receive care).
- Only UnitedHealthcare and/or CMS approved lead cards and marketing materials are permitted.
- Information provided on lead cards must be considered private and must only be used for the purpose intended.
- Providers may direct a patient to the lead box or collection station, but must not handle in any manner the leads collected (e.g., empty lead box, forward leads to the agent).
- You must check on and empty lead box or collection station no less than weekly. You must immediately report to UnitedHealthcare any suspected or known breach or theft of the lead box, collection station, and/or individual lead cards.

## Section 6: How do I take an Enrollment Application?

### Section 6: How do I take an Enrollment Application?

**Enrollment Methods**

**MA Plan and PDP Cancellation, Withdrawal, or Disenrollment Requests**

**Agent Assisted Health Assessment (HA) Process**

**Enrollment Process – AARP Medicare Supplement Insurance Plans**

## Section 6: How do I take an Enrollment Application?

### Enrollment Methods

Enrollment applications cannot be solicited or accepted outside of a valid enrollment election period. Marketing and/or selling outside of eligible periods is prohibited and is subject to corrective and/or disciplinary action up to and including termination. At the time the enrollment application is completed, you must be contracted, licensed, and appointed (if applicable) in the state in which the consumer resides, and you and non-licensed representatives must be certified in the product in which the consumer is enrolling.

The enrollment application should be completed only after you have completed a needs assessment and thoroughly explained to the consumer the plan benefits and associated costs, confirmed eligibility, verified providers and drug coverage (if applicable), disclosed agent and product specific information and disclaimers (e.g., Star Rating), and supplied Summary of Benefits, and the consumer has agreed to proceed with the enrollment.

A non-licensed representative is prohibited from engaging in any activity that is considered selling, marketing, or steering. For example, the non-licensed representative is permitted to give factual information about a plan, such as the monthly plan premium, but is not permitted to recommend a particular plan based on the needs of the consumer or as a result of any question the consumer asks.

### General Consumer Eligibility

At the time of enrollment, you must explain to the consumer that eligibility requirements must be met in order to enroll:

- Valid Enrollment Election Period: You must determine if the consumer has a valid election period and indicate the election period on the enrollment application and reason code, if applicable.
- Medicare Part A and/or Part B: You must indicate the consumer's Medicare number on the enrollment application. The consumer must be entitled to Medicare Part A and/or enrolled in Part B as is required for the plan or plans in which the consumer is enrolling. For Medicare Supplement Insurance plans, the consumer must be enrolled in both Part A and Part B.
- Service Area: You must confirm the consumer currently resides in the plan's service area, if applicable, based on the consumer's current permanent residential address. For Medicare Supplement Insurance plans, the consumer must reside in the state in which the plan they are enrolling.
- ~ You are prohibited from enrolling a consumer who is not physically present in the United States as of the signature date on the enrollment application. You should direct consumers who are out of the country to UnitedHealthcare's Telesales call center or the public website to complete an enrollment application. Consumers must be advised that in most cases, Medicare and UnitedHealthcare will not pay for health care or supplies obtained outside of the United States. Medicare drug plans do not cover prescription drugs bought outside of the United States.
- ~ In the case of homeless consumers, a post office box (not for Medicare Supplement), the address of a shelter or clinic, or the address where the consumer receives mail (e.g., Social Security check) may be considered the place of permanent residence.

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### Verification and Documentation of Special Needs Eligibility

At the time of enrollment, you must explain to the consumer enrolling in a Special Needs Plans (SNP) that certain eligibility requirements must be met in order to enroll and explain the applicable disenrollment process if eligibility cannot be verified and/or if the consumer loses eligibility once enrolled.

#### ▪ **Chronic Special Needs Plan (CSNP) Qualifying Condition Verification**

In addition to meeting the Medicare requirement identified above, consumers must have at least one of the qualifying conditions covered under the specific CSNP. You must:

- ~ Complete a review of the CSNP and determine the consumer's eligibility.
- ~ Enroll only those consumers who have at least one qualifying condition.
- ~ Explain to the consumer that:
  - UnitedHealthcare verifies qualifying chronic conditions on a post-enrollment basis, meaning the consumer will be enrolled if all conditions of enrollment are met except the verification of a qualifying condition.
  - UnitedHealthcare will attempt to verify the qualifying chronic condition with the consumer's physician for up to two months after the plan effective date.
  - A notice of involuntary termination will be sent to the member (with notification to the agent) if a qualifying condition has not been verified at the end of the first month.
  - The member will be terminated effective the last day of the second month of enrollment if a qualifying condition cannot be verified. However, the member will remain enrolled in the plan if verification is obtained at any time within the first two months of enrollment.
  - UnitedHealthcare will notify the member (not the agent) regarding a successful verification.
- ~ At the point of sale, complete and submit the Chronic Condition Pre-Assessment and Chronic Condition Release of Information forms with the enrollment application located in the Enrollment Guide and LEAN. There are different forms for each plan.

#### ▪ **Dual Special Needs Plan (DSNP) Medicaid Status Verification**

Specific pre-verification and documentation requirements must be met to enroll a consumer in a DSNP. In addition to meeting the Medicare requirement identified above, consumers must also have Medicaid (may be identified differently depending upon the state) to enroll in a DSNP. You must:

- ~ Complete a review of the DSNP and determine the consumer's eligibility.
- ~ Enroll only those consumers who have the appropriate level (e.g., full or partial) of Medicaid based on the specific DSNP. Eligibility may vary by plan; therefore, you must refer to plan documents to ensure plan eligibility and that the consumer cost sharing level makes the plan suitable for the consumer. You may validate Medicaid status at the point-of-sale using the Medicare & Medicaid Verification (MMV) tool in Jarvis or by contacting the Producer Help Desk (PHD) during normal hours of operation.
- ~ Include the consumer's Medicaid number (from their Medicaid card) appropriately on the enrollment application.
- ~ Explain to the consumer that if their Medicaid status is not verified within 21 days of receipt of the enrollment application or until the end of the month (whichever is later), a denial of enrollment letter will be sent.

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- ~ Explain to the consumer that if they lose their Medicaid status after enrollment, they may enter a grace period during which they will be responsible for cost sharing and/or may be involuntarily disenrolled.
- **Enrollment of Consumers Residing in a Medicare-Medicaid Plan (MMP) Area**

An MMP is a Centers for Medicare & Medicaid Services (CMS) and state run test demonstration program where individuals receive Medicare Parts A and B and full Medicaid benefits and are, generally, passively enrolled into the state's coordinated care plan with the ability to opt-out and choose other Medicare options. Designed to manage and coordinate both Medicare and Medicaid and include Part D prescription drug coverage through one single health plan, MMP demonstrations and eligible populations vary by state.

  - ~ States (or an enrollment broker with whom the state contracts) administer the MMP enrollment process, disenrollments, cancellations, and opting-out of passive enrollment.
  - ~ Agent-assisted enrollment of a consumer in a UnitedHealthcare Medicare Solutions plan must only occur after referring to applicable marketing guidelines and complying with federal and state regulations and UnitedHealthcare rules, policies and procedures. (Refer to the Educational and Marketing/Sales Activities and Events section for marketing guidelines applicable to MMP programs.)
- **Institutional/Institutional Equivalent Special Needs Plan Eligibility Verification**
  - ~ Institutional Special Needs Plan (ISNP)

A consumer must reside in a UnitedHealthcare contracted Skilled Nursing Facility (SNF) for at least ninety days, or is likely to stay in the contracted SNF for a minimum of ninety days based on the consumer's Minimum Data Set (MDS) assignment, in order to enroll in an Institutional SNP. Note: Effective 04/01/2021, if the consumer has not resided in the contracted SNF for at least ninety days at the time the enrollment application is taken, to serve as confirmation of eligibility, you must obtain and submit a copy of the applicable pages of the MDS assessment (Sections A0100 through A1100 and Q0300 through Q0400) or an approved letter of confirmation from the SNF on the organization's letterhead or an Optum-provided confirmation form (filled in by the SNF) signed by one of the following: Nursing Home Administrator, MDS Coordinator, Director of Admissions, Director of Nursing, Social Services (Director or Social Worker) or Business Manager that indicates that the SNF expects the consumer to require a stay of 90 days or longer.

Eligibility is based on a validation of their likelihood of residing in the contracted SNF for ninety days or more as indicated by the checked box. For consumers that have resided in the nursing home for at least ninety days, no eligibility documentation is required at time of enrollment.

\* You are permitted to work directly with the contracted SNF to obtain the information needed to complete the enrollment application provided the consumer or their authorized legal representative has signed an Authorization for Disclosure of Healthcare Information form. The form expires seven days from the signature date and provides authorization to the nursing home to provide the agent the consumer's Medicare Beneficiary Identifier (MBI), Medicaid number (if applicable), date of admission to the identified nursing home, and current insurance plan to help facilitate the consumer's enrollment into the UnitedHealthcare Nursing Home Plan.

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- ~ Institutional Equivalent Special Needs Plan (IESNP)  
You must determine eligibility, as it relates to the “Level of Care” requirement, at the point-of-sale.
  - You must follow state-specific guidelines for determining plan eligibility as it relates to the “Level of Care” requirement and must document the document type of proof source of eligibility in the applicable Consumer Relationship Management (CRM) tool.
  - The Optum Products Team will maintain the state-specific requirements and makes them available on the Optum Sales SharePoint site for agent reference.
  - Some states require “Level of Care” assessments and these documents are retained by an outside identified entity or at the local site based on the individual state’s “Level of Care” requirements. Documentation is retained by the entity/local site for 10 years and made available upon request within 48 business hours.
  - Eligibility determination is only required at the point-of-sale. Recertification of eligibility during the course of membership is not required. However, the member must reside in an approved community to access the plan.

### **Explain Benefits, Rules, and Member Rights**

You must provide and explain thoroughly all plan benefits and associated costs prior to completing and accepting an enrollment application. Elements you must explain include, but are not limited to:

- Election period (if applicable) and effective date for enrollment.
- Plan eligibility requirements.
- Cost sharing including deductible, coinsurance, copayments, and premiums.
- Provider network, if applicable, and coverage and cost-sharing when using in- or out-of-network providers. You must not steer or attempt to steer a consumer/member toward a particular provider or toward a limited number of providers, offered by either the plan sponsor or another plan sponsor, based on the financial interest of you or the provider. You must not enter into arrangements with providers to steer a consumer/member into a UnitedHealthcare Medicare plan based on financial or any other interest of the provider.
- If applicable, formulary, drug tiers, step therapy, prior authorization, quantity limits, exception requests, coverage stages (including the coverage gap), and late enrollment penalty if the plan has prescription drug coverage.
- If prescription drug coverage is included, verify (if applicable) all of the consumer’s current prescription medications are on the formulary and in what tier and look up the consumer’s pharmacies to verify if they are in the network. Determine if the consumer would consider an alternate prescription or change their pharmacy if their current prescription(s) or pharmacy is not in network.
- Selection of a Primary Care Physician (PCP) if required by the plan and any referral requirements.
- For network-based plans, verify (if applicable) all of the consumer’s providers are in the network (e.g., doctors, hospitals, pharmacies). Determine if the consumer would be willing to change to a network provider if the current provider(s) are not.
- The Star Rating for Medicare Advantage (MA) plan or Prescription Drug Plan (PDP) presented, including where to find the rating in the Enrollment Guide, providing Star Rating updates as

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they are communicated during the year and explaining where to obtain additional information about Star Ratings on the [www.medicare.gov](http://www.medicare.gov) website.

- Advise the consumer that no-cost interpreter services are available, as applicable.
- Cancellation, withdrawal, and disenrollment processes and time frames.
- Contact information for the plan.
- Appeals and grievance process, as applicable.

### Enrollment Application

The agent may proceed with enrollment only after explaining thoroughly all Plan benefits and associated costs to the consumer and receiving consent to enroll from the consumer. In addition to all other regulations, rules, policies, and procedures, the following guidelines apply:

- The consumer or the consumer's authorized legal representative must sign the enrollment application or request mechanism.
- For MA plan and PDP, the agent must provide required plan materials (i.e. Summary of Benefits, Star Ratings, and Pre-Enrollment Checklist) at the time of a field agent assisted enrollment. Materials may be provided in any available format; however, if the consumer requests the materials in a specific format, the agent must provide the materials in the requested format. For a Medicare Supplement enrollment, the enrollment kit must be made available to the consumer.
- The agent must ensure that all the required information is provided on the enrollment application.
- If the enrollment application contains Name and ID fields for a Primary Care Physician (PCP), then a PCP is required and both fields must be populated. Otherwise, if there is not a PCP field on the enrollment application, a PCP does not need to be designated.
- If the enrollment application contains a field(s) for the **Medicare Beneficiary's** email address, you must only enter the **Medicare Beneficiary's** email address and must not enter any other individual's email address, including your own. If the **Medicare Beneficiary** does not have an email address or refuses to provide one, you must leave it blank.
- Determine and enter the proposed effective date, election period, and election period reason code (if applicable).
- Explain that the consumer will receive plan letters and information through mailings, phone calls, and/or electronically (if requested and/or if available) regarding their plan enrollment that may include:
  - ~ After MA plan or PDP enrollment, within 10 calendar days of CMS acceptance into the plan a Welcome Call, Welcome Letter (combination of the enrollment verification/welcome letter and membership identification card), a Welcome Kit (post-enrollment Guide) and, if applicable, Health Assessment (HA) call (if not completed at the point-of-sale).
  - ~ After Medicare Supplement plan enrollment, a copy of the enrollment application, a plan acceptance letter, an insurance membership identification card, a welcome package (including certificate of insurance and coverage details, and a Welcome call.)
- **For field agents**, ensure that the enrollment application is signed and dated by the consumer once all required information has been entered on to the enrollment application and upon confirmation that the consumer fully understands all the details of the Plan and has read the Statement of Understanding.

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- ~ If the consumer is unable to sign their name due to physical limitations, blindness or illiteracy, the consumer may sign with a mark (e.g., “X”) if it is the consumer’s intent that the mark be their signature
- ~ If an authorized legal representative (e.g., Power of Attorney) signs the enrollment application, they must attest to being authorized under state law to sign on behalf of the consumer, provide contact information, and be able to provide proof, if requested, that they have the authority under state law to act on behalf of the consumer.
- ~ Medicare Supplement agents in certain states may offer an option for the consumer to complete/sign their enrollment application via voice signature from a location of their choice. However, you must inform the consumer that they are also available to meet face-to-face at a mutually agreed upon location if they prefer that enrollment option.
- For field agents using LEAN, a consumer/authorized legal representative may sign an enrollment application remotely via email or text message using remote signature, a secure electronic signing process.
  - ~ An access code must be created by you and provided to the consumer or authorized legal representative in order to access the enrollment application for review and signature. In order to provide an enrollment receipt via email, you must select the option prior to launching remote signature.
  - ~ The consumer or authorized legal representative is required to sign the enrollment application within 24 hours of when the “Launch Remote Signature” button is enabled by the agent. The access code expires after three failed attempts to enter the correct code.
  - ~ Once the consumer or authorized legal representative has signed the application, it is automatically submitted for processing and may be viewed by you.
- For field agents using LEAN, you may use a UnitedHealthcare approved HIPAA-compliant screen sharing application during a remote one-on-one appointment. The enrollment must be completed using LEAN and all other regulations, rules, policies, and procedures would apply.
- For field agents using LEAN, a consumer or authorized legal representative may sign an MA plan or PDP enrollment application remotely using voice signature.
  - ~ The consumer or authorized legal representative will receive a phone call from you in order to record a voice signature to complete the enrollment application in LEAN.
  - ~ You must merge a call with the applicable 1-800 number to record the call.
  - ~ You must read the script available in LEAN through the Voice Signature Portal verbatim and in its entirety.
  - ~ You must complete the voice recording on the call. If the call is interrupted or disconnected, a new call will need to be made and a new enrollment application completed. The agent cannot restart a recording if it has been stopped.
  - ~ Once the consumer’s or authorized legal representative’s voice signature has been obtained, the LEAN application is submitted automatically for processing and may be viewed by the agent.
- The consumer and the agent will receive an email with the completed enrollment application attached.
- **For field agents**, leave a receipt of a paper enrollment application. All agents using an electronic enrollment method (e.g., LEAN) must provide the confirmation number, generated upon completion of the enrollment application.
- Provide the consumer with your contact information.

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- **For field agents**, upon receipt of a paper enrollment application, enter your agent writing number, sign and date the enrollment application after verifying all information provided by the consumer correct and that it is signed by the consumer or authorized legal representative.
  - ~ Only the agent that explains the plan benefits and rules and completes the enrollment application with the consumer or authorized legal representative may affix their writing number to and sign and date the enrollment application. “Gifting” an enrollment application (i.e. allowing another agent to affix his or her writing number to, sign, and date an enrollment application) is strictly prohibited.
  - ~ The writing number assigned to an agency may only be used by the agency’s designated principal. You must not share a writing number.
  - ~ When multiple agents attend a formal marketing/sales event, the agent who assists the consumer or authorized legal representative in completing the enrollment application is the agent who must affix their writing number to, sign, and date the enrollment application.
- Submit the enrollment application within 24 hours of receipt.

Within seven calendar days of receipt of the MA plan or PDP enrollment application, UnitedHealthcare must submit the information necessary for CMS to add the consumer to its records as a member of the UnitedHealthcare plan. UnitedHealthcare is considered in receipt of the enrollment application as of the date the agent takes receipt of and signs the enrollment application.

  - ~ You must submit MA plan and PDP paper applications to the applicable enrollment center within 24 hours of receipt via an expedient method of submission accepted by the enrollment center (e.g., fax, email, overnight delivery). Postal mail is not considered an expedient method. Faxed applications must include a coversheet that contains a HIPAA privacy statement. Emailed MA plan or PDP enrollment applications must be converted to a separate, non-editable PDF and sent “Secure Delivery” when emailed outside of the UnitedHealthcare firewall. All emails must include a HIPAA privacy statement.
  - ~ Agents using an offline electronic enrollment method (e.g., LEAN) must upload the enrollment application within 24 hours of receipt.
  - ~ MA plan and PDP enrollment applications received by the enrollment center more than four calendar days after the agent’s signature are considered a late application and you may be subject to disciplinary action.

### UnitedHealthcare Public Website and Enrollment Tool

A web-based MA plan and PDP enrollment is a **consumer-initiated** and effectuated electronic enrollment method using the internet. UnitedHealthcare’s public websites and enrollment tools are for consumer use only and **are not** electronic methods **for agent use**.

- You are prohibited from completing the web enrollment on behalf of the consumer or at the consumer’s request. However, you may be on the telephone in order to assist the consumer with a web enrollment.
- You **must not** be physically present with the consumer when a consumer is completing a web-based enrollment and must not enter information or fill in an enrollment via screen sharing with the consumer through an internet connection (e.g., the consumer gives the agent control of the consumer’s computer to complete a web enrollment via WebEx) unless agreed to by the Senior Vice President Sales and the Compliance Officer.

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- Completing a web enrollment through the web-based enrollment tool on behalf of a consumer may be considered fraud.

### Multi-Carrier Enrollment Tool - EDC NMA Agent

- An NMA may make a multi-carrier online enrollment tool available to their down-line agent (non-eAlliance) to initiate an MA plan or PDP plan enrollment application face-to-face with the consumer or remotely with telephonic assistance. Prior to making UnitedHealthcare plans available via the multi-carrier tool, the NMA request must be approved by UnitedHealthcare and submitted to CMS.
- If the consumer is incapable of using the multi-carrier enrollment tool, or the selected plan is not available for enrollment through the tool, an alternate enrollment method must be used by you.
- To receive credit for an enrollment using a multi-carrier enrollment tool, you must imbed your writing number in the application.
- You are prohibited from completing the enrollment on behalf of the consumer or at the consumer's request.
- Enrollments completed using an online enrollment tool approved by UnitedHealthcare must be completed in the manner approved (e.g., face-to-face or remotely) and only for approved products.
- You must abide by all applicable enrollment guidelines defined within this policy, including but not limited to conducting a thorough needs analysis, presenting all aspects of the plan, review networks, providers, medications, and eligibility, and provide an enrollment application for the selected plan.
- Enrollments completed remotely using an online enrollment tool approved by UnitedHealthcare In addition to all other regulations, rules, policies, and procedures, the following guidelines apply:
  - You may be on the telephone in order to assist the consumer complete the enrollment application but must not be physically present with the consumer and must not engage in any screen sharing with the consumer through an internet connection.
  - You may complete an enrollment using the online enrollment tool. You must email the online enrollment application link to the consumer and direct the consumer to complete the enrollment information, including the listing of their providers and prescriptions.
  - You may complete an enrollment using a telephonic enrollment tool approved by UnitedHealthcare.

### Force Majeure Resilience Program

The Chief Distribution Officer or their delegate may invoke at their discretion the force majeure resilience program when requirements are met in order to provide reasonable alternative enrollment resources on behalf of the field sales channels (i.e. EDC, ICA/IMO, and ISR). The force majeure resilience program must not be invoked in situations in which CMS provides relief to consumers in a particular geography who may have difficulty submitting an enrollment application by the end of the Election Period (Annual, Initial, Open Enrollment, or Special) deadline.

A force majeure event means an act of God, riot, civil disorder, or any other similar event beyond the reasonable control of the field sales channels, if a field sales channel does not cause the event,

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directly or indirectly. A force majeure event affects travel and a field agent's ability to meet with a consumer for a prescheduled marketing/sales event or appointment, which has the potential to affect a field agent and/or consumer's ability to submit an MA plan, PDP, and AARP Medicare Supplement Insurance plan enrollment application by the applicable Election Period deadline.

### Agent Notification and Approved Alternative Resources

If you reside and work in the impacted business market(s), you will be notified by your local sales leadership that if, because of the force majeure event, you are unable to meet in-person with a consumer as previously scheduled, you are allowed to use the following approved alternative resources for meeting with and enrolling the consumer.

- You must notify the consumer that due to the force majeure event the previously scheduled marketing/sales event or appointment is canceled. You must have documented permission to call in order to call the consumer. Cancelling a reported marketing/sales event must follow all cancellation requirements. Refer to the Educational and Marketing/Sales Activities and Events section for details related to event reporting and cancellation.
- For consumers interested in enrolling, you must conduct a one-on-one marketing appointment over the phone, following all guidelines including permission to call and scope of appointment rules.
- If the consumer requests to enroll in a UnitedHealthcare Medicare Solutions product, you must provide the consumer with the following enrollment method options:
  - ~ **LEAN Remote Signature**  
The field agent may use LEAN remotely via email or text message and capture a signature using remote signature or the voice signature process.
  - ~ **Paper Enrollment Application**  
You can assist the consumer complete a paper enrollment application if the consumer has an Enrollment Guide (hard copy or PDF) for the plan in which the consumer is enrolling.
    - You should direct the consumer to enter your agent ID in the applicable field. Note: You must not enter your name and/or signature on the paper enrollment application prior to receipt of the paper application from the consumer. If the consumer submits the paper application directly to the company, the agent ID alone is acceptable.
    - You must advise the consumer that you or the company must receive the enrollment application on or before the last day of the month or applicable Election Period in order to receive their desired effective date.
  - ~ **UnitedHealthcare Telesales**  
You can direct the consumer to enroll via a UnitedHealthcare Telesales agent by dialing a toll free number provided when the force majeure program is invoked (some exceptions apply). Enrollments for AARP Medicare Supplement Insurance plans that require underwriting must be completed using a paper enrollment application. To facilitate a successful hand-off, you must:
    - Communicate the last day the consumer can enroll in order to get their desired plan effective date.
    - Explain that the Telesales process will likely take between 45 and 90 minutes to complete.
    - Explain that the Telesales agent will verify all providers and medications.

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- Inform the consumer that Telesales phone lines may experience some delay at the end of the month or AEP deadline.
- Send an email to [agentoversightadmin@uhc.com](mailto:agentoversightadmin@uhc.com) with the consumer's first and last name, consumer's zip code, the date the one-on-one marketing appointment was conducted, that the consumer was referred to Telesales for enrollment, agent name, and agent writing ID.

### Telesales Enrollment Process

- To facilitate a successful hand-off from the field agent, the Telesales agent will:
  - ~ Request the field agent's name from the consumer.
  - ~ Document the information provided in the notes section of the Mira tool.
  - ~ Follow normal enrollment handling processes with the consumer.
- Enrollment applications submitted under the force majeure resilience process will fall in a manual processing queue.
- Agent of Record (AOR) Considerations  
The field agent who assisted the consumer and whose agent ID is entered on the MA plan or PDP enrollment application, will be noted as the AOR. The agent will be entitled to applicable incentive/commissions if the consumer enrolls in the MA plan or PDP by a UnitedHealthcare Telesales agent or paper enrollment application without the involvement of a renewal eligible agent. The AOR must be appropriately licensed, appointed, and certified to be eligible for commission/incentive. (Refer to the compensation section for additional details related to AOR retention.)

### Commissions and Incentive Considerations

- Commissions will use the AOR (on file from Sales Reporting) and the agent's agent ID and contact information to update the field agent's commission for all impacted consumers. (The following entities will be notified: Broker, Internal, Field Leadership, Sales Ops etc.) (Refer to the compensation section for details related to non-employee agent commission eligibility and payment.)
- The AOR will be updated the month after the effective date of the plan (or receipt of the file) and a new commission will be paid if the agent meets eligibility requirements for the member's new plan.
- You must service the member in order to receive a commission/incentive. UnitedHealthcare reserves the right to remove the field agent as AOR and to discontinue paying the field agent commissions if it is determined that the field agent is not servicing the member.

### Assisting a Current Member

Agents or delegates on an agent's staff may call customer service (MA plan and PDP) or the PHD (AARP® Medicare Supplement Insurance plan) to act limitedly on a member's behalf. You may call without the consumer being on the line. Delegates may call without an agent or the consumer being on the line.

- You or a delegate must provide to customer service or the PHD the member's first and last name, authentication numbers (e.g., Writing ID, Party ID), and required member information (e.g., MBI, Member ID, AARP® membership ID, DOB) for the member.
- For MA plans and PDP, at the member's request, you or a delegate may:

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- ~ Order replacement ID cards or fulfillment items
- ~ Change the member's permanent and/or mailing address. You or a delegate must state that the member has authorized you or a delegate to make the change.
  - o You or a delegate may only change an address for a member who is staying in the enrolled plan's service area. If the member has moved outside of the enrolled plan's service area, a new application would be needed.
  - o You or a delegate must not act on behalf of a member if the member receives a letter from UnitedHealthcare requesting confirmation of their address. Only the member or authorized legal representative may confirm or update an address in this circumstance.
- ~ Change a Primary Care Physician (PCP)
- ~ Inquire about claims and billing issues
- ~ Assist with the UnitedHealth Passport® Program (e.g., active/deactivate Passport, change the Passport stop date).
- ~ Cancel or withdraw an enrollment application.
- For Medicare Supplement plans, at the member's request, you or a delegate may:
  - ~ Order replacement ID cards and fulfillment materials
  - ~ Make an address change (some exceptions exist in New York and Florida)
    - o You or a delegate must state that the member has authorized you or a delegate to make the change.
  - ~ Receive information about the status of medical claims (must have the provider name and date of service at a minimum).
  - ~ Receive information related to billing

## MA Plan and PDP Cancellation, Withdrawal, or Disenrollment Requests

You are not permitted to make additional contacts with members or their authorized legal representatives who request cancellation or withdrawal of their enrollment application or voluntary disenrollment from the plan in an attempt to keep them in the plan. Unless the disenrollment is due to a plan change that retains the member's current AOR, the AOR must cease any contact with the member once the disenrollment request has been submitted. For MA plans and PDPs:

### Withdrawal of Enrollment Application

Withdrawal of an enrollment application occurs prior to the effective date and prior to UnitedHealthcare submission of the enrollment data to CMS.

- If a paper enrollment application was signed by the consumer and you have not submitted it to UnitedHealthcare, you are required to return the paper enrollment application to the consumer. You are prohibited from submitting to the plan, retaining, or destroying the enrollment application once the consumer has requested the withdrawal.
- If the paper enrollment application has been submitted to the plan or if an electronic method of enrollment was used, you must direct the consumer to Customer Service or you must contact Customer Service on behalf of the consumer to facilitate the withdrawal request. The Customer Service number is located in the consumer's Enrollment Guide.

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### Cancellation of Enrollment Application

Cancellation of an enrollment application occurs prior to the effective date and after UnitedHealthcare has submitted the enrollment data to CMS. The you must direct the consumer to Customer Service or the agent/delegate must contact Customer Service on behalf of the consumer to facilitate the cancellation request. The Customer Service number is located in the Enrollment Guide. Telesales agents must handle cancellation requests according to established processes which may include referring the consumer to customer service or providing information to the enrollment department.

### Request to Disenroll

After the MA Plan or PDP effective date, the member must have a valid election period in order to disenroll.

- The member may disenroll by:
  - ~ Enrolling in another MA plan or PDP
  - ~ Providing a written (signed) notice to UnitedHealthcare
  - ~ Calling 1-800-MEDICARE.
  - ~ Completing an online disenrollment request via the consumer portal.
- If the member verbally request disenrollment, the agent must instruct the member to make the request in one of the ways described above.

### Agent Assisted Health Assessment Process

You may assist a consumer in completing a Health Assessment (HA) at the time of the sale. Refer to the Health Assessment (HA) Payment Program section for HA payment program requirements. The following guidelines apply:

- **You may complete an HA for a consumer enrolling in a MA plan, DSNP, or CSNP.**
- You must not complete an HA prior to or more than three calendar days after the consumer signature date on the enrollment application.
- You must obtain the consumer's consent to complete the HA. You must not require or pressure a consumer to complete an HA at the point of sale.
- If an HA is completed in-home, you must disclose at least two prescription drug safe disposal locations in the consumer's area using the Drug Enforcement Administration (DEA) website. The disclosure must include a written copy using the approved Disclosure Form (available on Jarvis) with the disposal location addresses and a verbal summary of the disclosure. HA completed telephonically (i.e. not in-home) are exempt from this requirement.
- You must complete the enrollment application and the HA in LEAN\*. You must not complete a paper HA (or any other HA format) with a consumer and transfer the information to the LEAN HA.
- You must not share your log-on credentials with another individual or have another individual complete an HA on your behalf.

\*Once HA functionality is available in LEAN (based on agent channel), you are no longer permitted to use the third-party HA site to complete an HA.

## Section 6: How do I take an Enrollment Application?

### Enrollment Process – AARP Medicare Supplement Insurance Plan

You must be certified to sell the AARP Medicare Supplement Insurance Plans as of the date the enrollment application is taken and for the applicable year that the enrollment application will be effective. For example, if an application is taken in October 2020 for a January 2021 effective date, the agent must be certified for 2021 AARP Medicare Supplement Insurance Plans prior to taking the enrollment application.

You must use the agent version of the AARP Medicare Supplement Insurance Plan enrollment application that can be identified by the presence of the code 2460720307 at the bottom center of the first page of the enrollment application and an agent signature line, agent ID, and specific disclaimer language located at the end of the enrollment application. (Note: All enrollment applications for the state of New York contain fields for the agent signature and agent ID so it is especially important that the code 246070307 appear on page one.) The agent version of the enrollment applications will be included in the Enrollment Guides available through the agent website in the “Product Information and Materials” section. You will not be commissioned, nor will commission appeals be considered, if page 1 of the enrollment application does not contain the code 2460720307.

Incomplete, incorrect, or illegible enrollment applications delay or prevent processing and/or the inability to pay you commission for the sale.

#### Confirm Eligibility

- Consumers must be enrolled in Medicare Part A and Part B at the time of the plan effective date.
- Consumers must be residents of the state in which they are applying for coverage.
- The consumer must be an AARP member or a member’s spouse or partner living in the same household in order to enroll in an AARP Medicare Supplement Insurance plan. Note: AARP membership dues are not deductible for income tax purposes. If the consumer is not a member; you may assist the consumer in setting up a new or renewing an AARP membership; however, you must not purchase the AARP membership for the consumer. You may assist the consumer in setting up or renewing the membership by:
  - ~ Calling 1-866-331-1964 or logging in to [www.myAARPconnection.com](http://www.myAARPconnection.com) to enroll using the consumer’s credit card.
  - ~ Mailing the AARP membership application and dues (with a *separate consumer’s* check payable to AARP) with the insurance enrollment application.
  - ~ Utilizing the Online Enrollment tool for AARP Medicare Supplement Plans to enroll using the consumer’s credit card.

You must not accept money from the consumer and send your personal/agency check/money orders to pay AARP membership dues.

#### Explain Benefits, Rules, and Member Rights

- You must review the plan options with the consumer and guide them to the plan that best fits

## Section 6: How do I take an Enrollment Application?

their needs.

- The consumer's plan selection must be indicated on the enrollment application.
- If the consumer has current health coverage, it must be noted on the enrollment application.

### Enrollment Application

- The enrollment application should be completed only after you have thoroughly explained to the consumer the plan benefits and rules, confirmed eligibility, disclosed agent and product specific disclaimers, and the consumer agrees to proceed with enrollment.
- You will immediately sign and date the enrollment application after verifying all information provided by the consumer is correct and the enrollment application is signed by the consumer or authorized representative.
  - ~ You must provide their agent writing number on each enrollment application you write.
  - ~ Only the agent that completes the enrollment application with the consumer or their responsible party may affix his/her writing number to, sign, and date the enrollment application.
    - “Gifting” an enrollment application (i.e. allowing another agent to affix his/her writing number to, sign, and/or date an enrollment application) is strictly prohibited.
- Incomplete, incorrect, or illegible enrollment applications delay or prevent processing and/or the inability to pay the agent commission for the sale.

All enrollment applications must be submitted promptly to UnitedHealthcare. AARP Medicare Supplement enrollment applications received by Enrollment more than 16 days after the agent signature will be considered a late enrollment application and the agent may be subject to disciplinary action.

### Post-Sale Requirements

The following items must be left with the consumer at the time of enrollment:

- Outlines of Coverage and Rate Sheet
- *Choosing a Medigap Policy: A Guide to Health Insurance for People with Medicare*
- Copy of the completed and signed Replacement Notice (where applicable)
- Copy of the Automatic Payment Authorization form (where applicable)
- Additional state-specific documents may also need to be completed and submitted with the enrollment application, and/or copies left with the consumer. Directions are on the form. It is your responsibility to adhere to all federal and state regulations.

### Replacement Business

- You must submit the *Notice to Applicant Regarding Replacement of Medicare Supplement Insurance or Medicare Advantage* (Replacement Notice) with an enrollment application when the consumer is replacing or losing a Medicare supplement or Medicare Advantage plan. Note: requirements may vary by state.
- A Replacement Notice is included with each state-specific Enrollment Guide. Consumers who are replacing their existing Medicare Supplement coverage should not cancel their coverage until the new policy's effective date. When replacing an existing policy, request an effective date (always the first of the month) to coincide with the date the existing coverage ends.

## Section 6: How do I take an Enrollment Application?

- If the consumer is changing from one AARP Medicare Supplement Insurance Plan to another AARP Medicare Supplement Insurance Plan, the Replacement Notice is not required.
- If the consumer currently has a Medicare Advantage plan and would like to enroll in an AARP Medicare Supplement Insurance plan, their coverage under the Medicare Advantage plan must end by the effective date of the AARP Medicare Supplement Insurance plan.

Enrollment in Medicare Supplement Insurance does not automatically disenroll a consumer from Medicare Advantage. The consumer should contact their current insurer or 1-800-MEDICARE to see if they are eligible to disenroll, and to disenroll if they are able.

## Section 7: How am I Paid?

**Commission Overview**

**Agent Compensation Eligibility Requirements**

**Compensation Structure – MA and PDP**

**Compensation Structure – AARP Medicare Supplement**

**Commission Payment Schedule**

**Direct Deposit**

**Health Assessment (HA) Payment Program**

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## Section 7: How am I Paid?

### Commission Overview

A writing agent who submits an enrollment application is only eligible for a commission if they are properly credentialed (i.e. contracted, certified in the product in which the consumer enrolled, and licensed and appointed, if applicable, in the state in which the consumer resides) at the time of sale, irrespective of the credentialing status of any up-line entity.

If the writing agent is eligible for a commission on the sale, then any up-line entity to the writing agent that is appropriately credentialed at the time of sale will be compensated. Up-line entities that are not appropriately credentialed at the time of sale are not eligible to be compensated and their commission will be paid to their direct up-line, since the direct up-line is stepping into the shoes of the down-line who was not appropriately credentialed at the time of sale. If a writing agent is not appropriately credentialed, no commissions will be paid to the writing agent or their respective up-line. It is the responsibility of the level that receives payment to administer commissions to the solicitor who made the sale. Specific credential requirements for the writing agent and up-line agents/entities are outlined in the sections below.

### Agent Compensation Eligibility Requirements

#### Credential Validation Rules for the Writing Agent

- **First-year commissions**

To be eligible to receive first-year commissions, as of the consumer's application signature date, you (including solicitors) must be appropriately credentialed as outlined below:

- ~ Must be actively contracted with UnitedHealthcare.
- ~ Must be actively licensed in the state of sale.
- ~ Must be actively appointed in the state of sale (if applicable).
- ~ For MA plan/PDP applications must be certified in the product in which the consumer enrolled for the applicable effective year.
- ~ Effective 01/01/2017, for AARP Medicare Supplement applications must be certified in the product at the time of sale (i.e. not based on the plan year).

- **Monthly Renewals (Year Two and Subsequent Years)**

To be eligible to receive renewal commissions for year two and beyond, the first year commission must be processed and paid and you must be appropriately credentialed as outlined below:

- ~ For MA plan/PDP applications effective prior to 01/01/2014, to receive monthly renewal commissions, you (or immediate up-line if writing agent was solicitor level) must not be terminated for-cause or deceased.
- ~ For MA plan/PDP applications effective 01/01/2014 and later for you to be eligible to receive monthly renewals, you (or immediate up-line if writing agent was solicitor level) must be appropriately credentialed, credentialing requirements for you are noted below.
  - Must be actively contracted (including servicing status contract) or in suspended status with UnitedHealthcare as of renewal month.
  - Must be actively licensed and appointed (if applicable) in the state of sale (or agent's resident state for servicing status contract) as of the renewal month.

## Section 7: How am I Paid?

- Active status agents must be certified in the product of sale for the renewal year as of the renewal month and the servicing status agent must be appropriately certified according to the terms of servicing agreement.
- ~ For AARP Medicare Supplement applications with all plan effective dates, to receive renewal commissions:
  - You (or immediate up-line if writing agent was solicitor level) must not be termed for-cause or deceased. (Exception: for AARP Medicare Supplement Insurance plans issued in the state of Washington, agent commissions will continue to be paid to a successor agent in cases where the writing agent (or immediate up-line if writing agent was solicitor level) is termed for-cause or deceased.)

### Compensation Structure – MA and PDP

Compensation is defined by the Centers for Medicare & Medicaid Services (CMS) as monetary or non-monetary remuneration relating to the sale or renewal of a policy including, but not limited to, commission, bonuses, gifts, prizes, and awards.

#### Commission

Commission is a form of compensation given to an agent for new enrollments of consumers in the plan that best meets such consumers' health care needs and membership renewals. Plan sponsors are not required to compensate you for selling Medicare products. However, if plan sponsors do compensate you, such compensation must comply with CMS and other regulatory guidance.

- Plans must establish a compensation structure for new enrollments and renewals effective in a given plan year. The compensation structure:
  - ~ Must be reasonable and reflect fair market value for services performed.
  - ~ Must comply with fraud and abuse laws, including the anti-kickback statute.
  - ~ Must be in place by the beginning of the plan year marketing period, October 1.
  - ~ Must be available upon CMS request for audits, investigations, and to resolve complaints.
- If plans pay commissions they must abide by CMS guidance by paying commissions for initial year (i.e. new to Medicare) enrollments as well as renewal compensation. CMS determines if an enrollment qualifies as an initial year or renewal year enrollment and directs the plan sponsor on which compensation level should be paid. The following rules pertain to the compensation cycle:
  - ~ The commission amount paid to you for enrollment of a Medicare consumer into an Medicare Advantage (MA) plan or Prescription Drug Plan (PDP) is as follows:
    - After CMS publishes rate guidance for the upcoming plan benefit year, UnitedHealthcare will determine commission rates by contract-plan benefit package (PBP) and state based on market specific objectives.
    - Upon receipt of a CMS-approved enrollment application and validation of your credentials, commission for a new enrollment will be paid at the renewal rate based on the number of months the member is enrolled for the plan benefit year.
    - Upon notification from CMS that a member qualifies for the initial rate, the difference between the renewal rate and initial rate commission will be paid. Commission will be calculated based on the number of months the member is enrolled for the plan benefit year, except when the member has no plan history per CMS then these will be paid at the full initial rate regardless of effective date of enrollment.

## Section 7: How am I Paid?

- CMS guidelines state a plan year ends on December 31 regardless of effective date of the enrollment.
- Renewal commissions to you are paid so long as you are in good standing according to the terms of your contract and the member is still enrolled. Renewal commissions will begin in January of the following plan benefit year. For example, renewal commissions for a July 2020 effective date will begin January 2021 on a per member per month basis. CMS requires that any renewal payment be no more than fifty percent of the current year fair market value.
- ~ If the member leaves the plan:
  - Voluntarily within the first three months (i.e. a rapid disenrollment), the full amount of the commission paid is charged back.
  - Voluntarily in months 4 to 11, the difference between the commission paid and the number of months the member was in the plan will be charged back.
  - If a member terminates coverage involuntarily in months 1 to 11 (for example due to a plan exit), the difference between the commission paid and the number of months the member was in the plan will be charged back.
  - Charge backs will be recovered from both new and renewal commissions in the next available commission cycle. If there is not enough new or renewal commissions to offset the charge back, the balance of the charge back is rolled into the next commission cycle. This continues until the charge back is repaid in full.
  - All terminations that result in a full or prorated charge back will be processed regardless of the date the termination is received.

### Miscellaneous Forms of Compensation

Commissions, bonuses, gifts, prizes, and awards are examples of compensation. The value of all forms of compensation must be included in the total compensation amount paid to you for an enrollment and may not exceed the limits set forth in the CMS agent compensation regulations and implementing guidance.

### Reimbursement of Costs Associated with Selling

The following are not considered compensation according to CMS:

- Payment of fees to comply with state appointment laws; training and testing, and certification.
- Reimbursement for mileage to and from appointments with consumers.
- Reimbursement for actual costs associated with consumer sales appointments such as venue rent, materials, and snacks.

## Compensation Structure – AARP Medicare Supplement

Most states generally define compensation as monetary or non-monetary remuneration of any kind relating to the sale or renewal of a policy including, but not limited to, commissions; bonuses, gifts, prizes, awards, and referral/finder's fees.

### Commission

Commission is a form of compensation given to you for new enrollments of consumers in the plan that best meets such consumers' health care needs and membership renewals. Plan sponsors are not required to compensate agents or brokers for selling Medicare Supplement products. However,

## Section 7: How am I Paid?

if plan sponsors do compensate you, such compensation must comply with state law and other regulatory guidance.

- Plans must establish a compensation structure for new enrollments and renewals for plans effective in a given year. The compensation structure:
  - ~ Must be reasonable and reflect fair market value for services performed.
  - ~ Must comply with fraud and abuse laws, including the anti-kickback statute.
  - ~ Must be available upon Department of Insurance (DOI) request for audits, investigations, and to resolve complaints.
- If plans pay commissions they must abide by state law and regulations by paying commissions for first year enrollments and renewal compensation. In accordance with state law and regulations, UnitedHealthcare determines if an enrollment qualifies for first year or renewal compensation. The following rules pertain to the compensation cycle:
  - ~ The commission amount paid to an agent or broker for enrollment into an AARP Medicare Supplement Insurance Plan is as follows:
    - For the upcoming plan benefit year, UnitedHealthcare will determine the commission rates by plan and state based on market specific objectives. Such commission rates are filed for approval with applicable state regulatory agencies and are subject to state approval.
    - UnitedHealthcare may modify the compensation rate as required for state approval and will communicate any such modification as appropriate.
  - ~ If the member leaves the plan:
    - Commission paid is charged back on a pro-rated basis based on the number of months the member was in the plan
    - Charge backs will be recovered from both new and renewal commissions in the next available commission cycle. If there is not enough new or renewal commissions to offset the charge back, the balance of the charge back is rolled into the next commission cycle. This continues until the charge back is repaid in full.
    - All terminations that result in a full or prorated charge back will be processed regardless of the date the termination is received.

### **AARP Medicare Supplement Insurance plans – Charge backs**

Commissions are earned on the duration of a member's enrollment. Any unearned commission paid on an AARP Medicare Supplement policy will be charged back to all levels that were paid for that policy.

- Charge backs will be recovered from the next available commission payment of any UnitedHealthcare product.
- If there is not enough new or renewal commissions to offset the charge back, the balance of the charge back is rolled to the next commission statement. This continues until the charge back is repaid in full.

### **Miscellaneous Forms of Compensation**

For AARP Medicare Supplement, commissions, bonuses, gifts, prizes, awards, and referral/finder's fees are examples of compensation. The value of all forms of compensation must be included in the total compensation amount paid to you for an enrollment and may not exceed the limits under state laws and regulations.

## Section 7: How am I Paid?

### Commission Payment Schedule

#### Commission Payment Schedule

- MA Plan and PDP
  - ~ New Business – paid twice weekly
  - ~ Renewals – paid monthly, Per Member Per Month, MA plan and PDP renewals are processed the third weekend of the month.
- AARP Medicare Supplement Insurance Plans
  - ~ New business advances and updates to current book of business – process weekly
  - AARP Medicare Supplement Insurance products are paid a nine-month advance in most states (as noted here or in the contract). The advance is not considered fully earned until the member has been enrolled nine months. As the member remains enrolled in months one through nine, a portion of the advance is considered earned. Example: If the member terminates in month seven, two months of the advance are considered unearned and will be charged back to the agent. Note: An exception to this rule is when a member pays their premium for the full year from January 1 through December 31 in advance (by the end of January). Then the commission advance is considered fully earned in the month of February. However, if the plan terminates during the first year, you will be charged back for commissions paid for months the plan is not in force.
  - ~ Premiums and Renewals – processed monthly
  - Monthly premiums and renewals begin in month two, however typically recover against Unearned Advance Debt through month nine and processed the first weekend after the first full week of a month.

### Direct Deposit (Does not apply to SecureHorizons Medicare Supplement products)

You may follow the instructions below to request direct deposit.

- Access **Jarvis** ([www.uhcjarvis.com](http://www.uhcjarvis.com))
- Under “Knowledge Center” tab, Access “Account Info”
- Under “Profile”, Access “Edit Direct Deposit Info”
- Enter the direct deposit information
- An email confirmation is sent to the email address on file
- The updated direct deposit change is effective immediately for the next commission cycle.
- For any issues, email the PHD at [phd@uhc.com](mailto:phd@uhc.com).

### Commission Sharing

Commission payments may not be shared within a hierarchy. For example, an NMA may not share or split its commission payments with an FMO, MGA, GA, or Agent in its hierarchy. For each enrollment, an entity/agent within a hierarchy is entitled only to the appropriate amount listed on the UnitedHealthcare commission schedule.

### Tax Information

- Commissions paid are reported on the 1099 in the year they are paid. Payments issued in one year and then voided and reissued in the next year will be reported on the 1099 for the year in which the original payment was issued.

## Section 7: How am I Paid?

- The assignee receives the 1099 for any payments received on behalf of the assignor.
- Garnished payments are reported on the 1099 of the garnished agent in the year the payment was originally processed.

### **Health Assessment (HA) Payment Program (update effective 02/24/2020) (applies to MA only (excludes standalone PDP and Medicare Supplement Insurance))**

UnitedHealthcare will pay the contracted amount for the completion of a Health Assessment (HA) when all of the following requirements are met:

- All “Agent Assisted Health Assessment (HA) Process” (refer to earlier section) requirements must be met.
- The enrollment must be accreted (i.e. the application was approved and the member enrolled).
- The plan in which the consumer is enrolling is commissionable.
- You must pass credential validation for the submitted enrollment application (refer to the Agent Compensation Eligibility Requirements section).

An HA payment:

- Will generally occur during the month that follows the plan effective date month (e.g., the HA payment for a 2/1 plan effective date will occur in late March).
- Will not be charged back due to rapid disenrollment from the plan.
- May be charged back if it is determined that payment requirements were not met or due to payment corrections or abuse of the HA payment program.
- Will be reported on the 1099 for the year in which it was paid.

### **Agent of Record (AOR) Retention**

In the circumstances below, a renewal-eligible agent’s status as AOR and associated entitlement to renewal payments will be retained for a qualifying enrollment when eligibility requirements have been met. The AOR remains responsible for servicing the member. UnitedHealthcare reserves the right to deny an agent AOR retention or remove an agent as AOR.

- AOR eligibility requirements
  - ~ The original agent or immediate up-line if the original agent was a solicitor must be an active renewal eligible agent and must be appropriately credentialed.
  - ~ A non-renewal eligible Telesales agent must conduct the enrollment in the new qualifying UnitedHealthcare plan or the impacted member may self-enroll via Web or paper enrollment application without involvement of a renewal-eligible agent.
  - ~ The member enrolls in a qualifying UnitedHealthcare plan. Qualifying plans include MA plan, MAPD plan, DSNP, or CSNP. Any other type of plan switch does not qualify for AOR retention, including Medicare Supplement Insurance, Institutional SNP, and Individual PDP.
- Service Area Reduction (SAR) Impacted MA Member Enrolls in a Qualifying MA Plan
  - ~ A member’s current UnitedHealthcare MA plan is closing and the member is able to make a new plan election (i.e. the member is not automatically mapped to an existing plan);
  - ~ The member must enroll in a new UnitedHealthcare MA plan during the Annual Election Period (AEP) or a Special Election Period (SEP) with an effective date of January 1, February 1, or March 1;
- Non-SAR Medicare Advantage Members Enrolls in a Qualifying MA Plan

## Section 7: How am I Paid?

- ~ The current member must be currently enrolled in a UnitedHealthcare managed MA plan with or without integrated Part D benefits;
- ~ Effective 08/01/2016 the member may use any available election period (i.e. AEP or SEP).
- ~ The current member must switch from the current plan to another qualifying UnitedHealthcare managed MA plan with no gap in coverage.
- South Carolina (SC) MMP (Effective 01/01/2020)
  - ~ A member was passively enrolled into a SC MMP from a UnitedHealthcare Dual SNP with an effective date of 01/01/2020.
  - ~ The member did not opt out of the SC MMP prior to the 01/01/2020 effective date.
  - ~ There was a gap in coverage from the UnitedHealthcare Dual SNP and enrollment into a qualifying UnitedHealthcare plan.
  - ~ The effective date for the qualifying plan change must be 02/01/2020, 03/01/2020 or 04/01/2020.
- Commission Payment
  - ~ For qualifying enrollments, renewals will continue to the original Agent of Record.
  - ~ For SC MMP passive enrollment plan changes, the retained AOR (and AOR's up-line if applicable) will receive a new commission at the renewal year rate for the months the member is enrolled in a qualifying UnitedHealthcare plan. For example, if the member enrolls in a qualifying plan with an effective date of February 1, the AOR will be eligible for commissions beginning February 1, not January 1. Commission payments for SC MMP passive enrollment plan changes will occur by July 2020.
  - ~ For non-qualifying enrollments, such as a member switching from an MA Plan to Medicare Supplement Insurance and/or a Part D plan, the agent facilitating the plan switch will become the new AOR and, if eligible, will receive any commission/incentive payments per standard procedures.

### **Assignment of Commission (applies to all products (excluding SecureHorizon Medicare Supplement Insurance))**

#### **Agent Assignment to an Individual or Entity**

- The assignee, an individual or entity represented by a principal, must also be actively contracted.
- The assignor and the assignee must belong to the same distribution channel. For example, an Independent Career Agent (ICA) cannot assign commissions to an External Distribution Channel (EDC) agent and an EDC agent cannot assign to an ICA.
- Assignment to an estate, widow(er), or heir: Under the Agent Agreement, death of the agent is an automatic termination. UnitedHealthcare shall cease paying compensation to the agent and no further payment shall be due.
- Assignment of commissions can only occur to one individual or entity at 100%.
- SecureHorizons Medicare Supplement Insurance Plans are not eligible for Assignment of Commission.

#### **Assignment of Commission Process**

You can request to assign commissions by submitting a completed Assignment of Commissions form to [SH Commissions Administration@uhc.com](mailto:SH_Commissions_Administration@uhc.com) or faxing it to 1-866-761-9162. Forms are available through **Jarvis** ([www.uhcjarvis.com](http://www.uhcjarvis.com)) under the Commissions tab > Statements and More.

## Section 7: How am I Paid?

### Termination of Authorization to Assign Commissions

The authorization to assign commissions will be terminated if any of the following conditions exist:

- Termination of the assignee.
- Termination for cause or death of the assignor.
- Assignor's failure to maintain appropriate credentialing.
- The assignor submits a written request to terminate authorization to assign commissions. Note: The assignee has no right to revoke a request to terminate an authorization provided by the assignor.

### Held Commission Process

Commissions are paid to eligible, non-employee agents for enrollment applications that are complete, legible, and accurate. Commission will be held if you fail any of the credential validation checks, as well as if an invalid writing number is entered on the enrollment application.

### Reporting and Communication Process

- You and your up-line can review commission status and statements under the Commissions tab on Jarvis. If a commission is held, the reason(s) for payment ineligibility is provided.

### Review and Resolution Process

The primary goal of the review process is to determine whether a held commission is eligible for payment or is legitimately held due to an issue with agent credentialing and/or enrollment application quality. The process for held commission review and resolution includes the following steps:

### Appeals Process:

- The communication outlines a clear appeal process that you may use if you feel a transaction has been held inappropriately.
  - ~ You have 30 days from receipt of the communication to submit an appeal to the PHD at [PHD@uhc.com](mailto:PHD@uhc.com).
  - ~ The ALM, Certification, and/or Commissions team reviews the appeal and approves or denies it.
  - ~ For appeals that are specifically related to your certification, the following requirements must be met:
    - You may request exception process review under one of the following circumstances:
      - You knew, in good faith, that they were certified in the product and can provide documentary evidence, but UnitedHealthcare internal business process or technical error did not reflect that you had passed the test in that product.
      - You were told you were certified and can provide evidence, but due to internal business process errors, was not provided with the appropriate certification requirements or online development plan.
    - In order for an exception to apply, all of the following criteria must be met:
      - You must have taken the appropriate certification tests by the time the exception is being considered.

## Section 7: How am I Paid?

- A UnitedHealthcare/UnitedHealth Group system or process created the certification error.
  - You were acting in good faith.
- ~ For appeals that specifically relate to agent licensing, information available through the Department of Insurance or National Insurance Producer Registry (NIPR) will be used to validate licensing claims.

### **Analyst Review:**

- Appeals are forwarded to an ALM and/or Certification analyst for review. Results of analyst review, on a per application basis, will fall into one of three categories:
  - ~ System(s) will be updated to reflect the necessary change(s) for you and the commission will be paid systematically.
  - ~ Commission payment remains ineligible due to reason(s) stated.
  - ~ Appeal could not be evaluated based on currently approved rules, i.e. guidelines or published rules do not exist for the scenario under evaluation.
- The transaction record and the Producer Contact Log (PCL) will be updated to reflect the final decision.
  - ~ Approved appeals: System records are corrected and payment will be systematically processed during the next commission cycle.
  - ~ Denied appeals: The transaction record will be updated to reflect a “forfeit” status indicating no further appeal is available.
- The appeals process can take up to 14 business days, and you are contacted via email, phone, or letter with the final decision on the appeal.

## Plan Changes

### **MA plan/MA-PD plan or PDP**

- Any MA plan/MA-PD plan or PDP and/or plan benefit package change is a commissionable event and may result in a new commission paid on a Per Member, Per Year (PMPY) basis. (See the “Agent of Record (AOR) Retention” section).
- If the effective date of the plan change is within the rapid disenrollment period of the original/prior effective date, the prior agent will be subject to full or prorated charge back depending on if the termination was voluntary or involuntary, except as noted below.
- If the effective date of the plan change is in month four through eleven of the original/prior effective date, except as noted below, the prior agent will receive a prorated charge back per CMS guidelines unless the member was enrolled in the prior plan through 12/31, in which case the commission is considered fully earned.
- If the effective date of the plan change is in initial year and the second plan is a like plan (Medicare Supplement Plans excluded) with the same agent, same carrier, and the member remains enrolled through 12/31, the agent will retain the full initial year commission.
- If the effective date of the plan change is in benefit plan year two, the prior agent will not receive renewals on the original/prior policy.

## Section 7: How am I Paid?

### AARP Medicare Supplement

- Plan changes within the AARP Medicare Supplement product, if there is no break in coverage, the initial agent will retain commission eligibility, and the agent on the plan change if different from the initial agent, will not receive commissions.

## Commission Payment Audit/Appeals

You or your up-line may submit an audit or appeal request when they disagree with a payment amount, including instances when you have not been paid, but feels you should have been. Audit/appeal requests related to commissions for new enrollments may be submitted for policies effective in the current plan year or prior plan year. Appeals related to renewal commissions may be filed for transactions in question from the current plan year or prior plan year. However, appeals for the prior plan year payments must be filed by November 30 of the current plan year. Audit/appeal requests related to renewal payments are not reviewed if a corresponding new transaction was not paid. The request must be in writing and must detail the specific applications you are questioning. If an issue with the commission payment system is identified, it will be corrected and the commission will be processed systematically. A follow-up communication will be sent to you. Decisions made by the Commissions Audit department are final. Note: This rule will be waived if required due to a CMS audit, DOI audit, or legal proceeding.

- You must email PHD at [phd@uhc.com](mailto:phd@uhc.com) and include supporting documentation to open a Service Request to process a commission payment audit request.
- PHD will verify if the member is actively enrolled in a UnitedHealthcare plan and that the agent requesting payment is active at the time of sale. If the preceding criteria is met, the Service Request will be escalated to the Commissions Audit department for additional research.
- Results of the audit of each enrollment application will be communicated to you by the Commissions Audit department.
- Responses will be stored within the PHD Service Request.
- Follow-up calls associated with the request from you or your up-line should be directed to the PHD at [phd@uhc.com](mailto:phd@uhc.com) with reference to the Service Request provided.

## Repayment Process

### Debt Repayment Plan

UnitedHealthcare routinely conducts commission administration audits using the Medicare Membership Report from CMS to validate that charge backs have been appropriately processed due to members that rapidly disenroll or otherwise disenroll within the first plan benefit year or to validate agents no longer receive renewal commissions following a member's disenrollment from a MA plan or PDP.

- When an audit process reveals an overpayment, the impacted agent is charged back accordingly. Charge backs may be applied against future payments to an agent or may be recovered by any other means allowed by law.
- To minimize the impact of large charge backs, you may request a debt repayment plan by submitting an appeal to the PHD via email at [PHD@uhc.com](mailto:PHD@uhc.com). Debt repayment options are only available for charge backs for the sale of MA plans and PDPs and in situations where large debt is created due to audits of commission payments. Debt repayment options are not

## Section 7: How am I Paid?

available for charge back debt created as a result of day-to-day commissions processing. To request a debt repayment plan:

- ~ You must be in good standing (i.e. you are not the subject of an open complaint investigation and/or open corrective and/or disciplinary action outreach),
- ~ You must have an existing renewal book of business, **and**
- ~ The amount of debt must exceed 2 months of renewal payments.

### **Garnishment**

When a formal notification of garnishment is received commissions will be withheld based on the terms of the levy. Garnishment amounts will be paid to the appropriate agency or organization on a monthly basis unless otherwise specified. Garnishment of commission payments will continue until the total amount of the garnishment is satisfied or a notice of satisfaction is received from the garnishing agency.

## Section 8: What are Expected Performance Standards?

### Section 8: What are Expected Performance Standards?

**Compliance and Ethics**

**Agent Performance Standards**

**Performance that may result in Immediate Termination**

**Monitoring Program**

**Agent Complaint Process**

**Revocation of Authority to Sell**

**Demotion of Authorize to Offer (A2O) Elite Status of AARP Medicare Supplement Insurance Plans**

**Suspension of Agent Marketing and Sales Activities**

**Termination of Non-Producing EDC Agent/Agency**

**Termination of Non-Certified EDC Agent/Agency – Non-Employee**

**Termination – Disciplinary Action**

**Termination – Administrative**

**Termination – Due to Unqualified Sale**

**Discretionary Termination without Cause**

**Termination Process**

**Request for Reconsideration**

## Section 8: What are Expected Performance Standards?

### Compliance and Ethics

#### Code of Conduct

##### Overview

Our Code of Conduct provides essential guidelines that help us achieve the highest standards of ethical and compliant behavior. At UnitedHealthcare and UnitedHealth Group, we hold ourselves to the highest standards of personal and organizational integrity in our interactions with consumers, employees, contractors and other stakeholders, including the Centers for Medicare & Medicaid Services (CMS).

##### Act with integrity

- Recognize and address conflicts of interest.

##### Be Accountable

- Hold yourself accountable for your decisions and actions. Remember, we are all responsible for compliance.

##### Protect Privacy. Ensure Security

- Fulfill the privacy and security obligations of your job. When accessing or using protected information, take care of it!

##### Your Role and Responsibilities

- To fulfill your Compliance Responsibilities.

##### Stop. Think. Ask.

- Speak up about your concerns
- Address any mistakes, especially when a consumer may be effected
- Do the right thing – the first time and every time

If you encounter what you believe to be a potential Code of Conduct or policy violation, speak up! Speaking up is not only the right thing to do, it is required by Company policy.

UnitedHealth Group expressly prohibits retaliation against employees and agents who, in good faith, report or participate in the investigation of compliance concerns.

##### Compliance Reporting Resources

- Compliance Question [compliance\\_questions@uhc.com](mailto:compliance_questions@uhc.com)
- Privacy & Security incidents [UHC\\_Privacy\\_Office@uhc.com](mailto:UHC_Privacy_Office@uhc.com)
- The UnitedHealth Group Compliance & Ethics HelpCenter 800-455-4521 or [www.uhghelpcenter.ethicspoint.com](http://www.uhghelpcenter.ethicspoint.com) (available 24 hours a day, 7 days a week.)

The complete Code of Conduct can be accessed on [www.unitedhealthgroup.com](http://www.unitedhealthgroup.com) > Corporate Governance.

## Section 8: What are Expected Performance Standards?

### Conflict of Interest

Individuals representing UnitedHealthcare (including but not limited to agents (including active, servicing, and solicitors), agency principals, contractors, employees, and sales leaders) must not engage in any activity that conflicts with, or gives the appearance of conflicting with, their responsibility to UnitedHealthcare or competes with, or gives the appearance of competing with the interests of UnitedHealthcare or its consumer/members unless approved by management and in accordance with the Conflict of Interest policy.

A conflict of interest occurs when an individual's interests or activities, or in some cases those of their immediate family member (spouse/domestic partner, child, parent, or sibling, including step-relations and in-laws), could affect or appear to affect the individual's decision making on behalf of UnitedHealthcare or because the individual's objectivity could be questioned because of those interests or activities. On an annual basis during the certification process, individuals representing UnitedHealthcare must attest that they have read, understand, and will abide by UnitedHealth Group's Code of Conduct and to their conflict of interest status.

### Types of Conflict of Interest

UnitedHealthcare has identified scenarios that may exist or arise that can create a conflict of interest when acting as a representative of UnitedHealthcare. The list does not cover every possible scenario, and the appearance of an activity on the list does not mean that it will always create a conflict of interest.

#### Relationship with a Health Care Provider or UnitedHealthcare Business Partner

- An individual representing UnitedHealthcare, or their immediate family member, has a direct or indirect ownership interest in AND/OR is an employee, contractor, or consultant of AND/OR holds a position of influence with a health care provider or UnitedHealthcare business partner.

#### Relationship with an Organization that Interacts with Medicare Beneficiaries

- An individual representing UnitedHealthcare has a direct or indirect ownership interest in AND/OR is an employee, contractor, or consultant of AND/OR holds a position of influence with an organization that has any interaction with Medicare beneficiaries.

#### Relationship between UnitedHealth Group Employee and Agent/Agency

- An employee of UnitedHealth Group or its affiliate has an immediate family member who is an agent/agency employed/contracted by and/or appointed with UnitedHealthcare.

#### Simultaneous Employment and Contract with UnitedHealthcare or another insurance carrier

- An employee of UnitedHealth Group or its affiliate is simultaneously in a non-employee contractual relationship with UnitedHealthcare or another insurance carrier.

#### Relationship between Non-Employee Agent/Agency and a UnitedHealthcare Competitor

- A non-employee agent is contracted and appointed with multiple carriers, including direct competitors of UnitedHealthcare.

## Section 8: What are Expected Performance Standards?

### UnitedHealth Group Employee Sells Non-UnitedHealthcare Products Requiring State License

- An employee of UnitedHealth Group or its affiliate is involved in the sale of a non-UnitedHealthcare insurance product, which requires a state license (e.g., health, life, financial services, and property/casualty), that may or may not compete with UnitedHealthcare Medicare insurance products.

### Conflict of Interest Status Attestation and Disclosure

Individuals representing UnitedHealthcare must attest to their conflict of interest status annually.

#### Conflict of Interest Disclosure - Non-Employees

Non-employees must disclose any real or potential conflicts of interest at the time of contracting/onboarding, or within three business days of discovery thereafter, and as required if they attest to having a conflict of interest during the certification process, even if previously disclosed. The contracting process may suspend until the conflict has been removed or it is determined that it can be compliantly managed.

- The non-employee must submit a Conflict of Interest Disclosure form, along with any supporting documentation, to [Agent\\_COI@uhc.com](mailto:Agent_COI@uhc.com).
- For purposes of this section and the Management of Conflict of Interest section, an EDC agent (i.e. non-captive, broker agent) whose conflict is limited to “Relationship between Non-Employee Agent/Agency and a UnitedHealthcare Competitor” is not required to disclose the specific conflict or have the conflict managed.

### Conflict of Interest Management

Conflict of Interest Disclosure forms will be reviewed and an outcome decision made. The individual(s) involved will be notified of the decision and, if directed, must acknowledge receipt of the notification and agreement to any actions outlined in the notification. If it is determined a conflict of interest exists, UnitedHealthcare may take one or more of the following actions:

- Develop a conflict resolution and management plan approved by the Conflict of Interest Committee. For example, if it is determined that a conflict of interest exists between an employee and a non-employee, a decision will be made about whether the conflict can be managed, and all parties will be notified. If it is determined that the conflict can be managed, UnitedHealthcare will share with the parties how it intends to manage the conflict. Failure to comply with the management plan could result in termination of the agent(s).
- Require the employee, contractor, or agent to divest of the conflict. For example, a full time UnitedHealth Group sales employee, regardless of their role, may not engage in any outside sales activity for any licensed insurance products. Such activity is deemed a conflict of interest, is prohibited, and is deemed inconsistent with the purpose and requirements of the UnitedHealth Group Code of Conduct and the UnitedHealth Group Conflicts of Interest Policy. The employee could be required to terminate their contract with a competitor in order to continue working as a sales employee for UnitedHealth Group.
- Terminate the employee, contractor, or agent (refer to the Agent Termination Process section).

### Privacy and Security Incidents

You are required to act in compliance with all of the Centers for Medicare & Medicaid Services (CMS) regulations and guidelines and other applicable federal and state laws. UnitedHealthcare

## Section 8: What are Expected Performance Standards?

expects agents to act with the highest degree of ethics and integrity and in the best interest of its consumers and members. UnitedHealthcare does not tolerate unethical behavior and our policies and procedures strictly prohibit activities that are not in the best interest of those we serve. Federal law requires Medicare plan sponsors to implement and maintain a Compliance Program that incorporates, measures to detect, prevent, and correct compliance related issues that include fraud, waste, and/or abuse.

The Health Insurance Portability and Accountability Act (HIPAA) is a federal law that provides requirements for the protection of health information. There are two pertinent provisions that guide the use of member/consumer information:

- Privacy Provisions
  - ~ The HIPAA Privacy Rule outlines specific protections for the use and sharing of Protected Health Information (PHI).
- Security Provisions
  - ~ The HIPAA Security Rule defines how PHI should be maintained, used, transmitted, and disclosed electronically.

Under HIPAA, if member information is disclosed to an unintended recipient, the UnitedHealthcare Privacy Office may have to:

- Notify the member
- Post the disclosure on the Health and Human Services (HHS) website
- Notify the Centers for Medicare and Medicaid Services (CMS)
- Notify state Attorney General (AG) or Department of Insurance (DOI) and/or other state agency as required by state law
- Notify the media
- In addition, individuals, including employees and business associates, may be criminally liable for intentional disclosures, privacy, and/or security incidents involving a potential or actual disclosure of member/consumer information

If you become aware of an inappropriate HIPAA/PHI disclosure, it **must** be reported within 24 hours of discovery.

You are responsible for protecting our consumers, members, our brand, and our company. Failure to protect PHI/PII may result in corrective and/or disciplinary action up to and including termination. You can report suspected privacy or security incidents through:

- Incidents should be reported to one of the following:
  - ~ The UnitedHealthcare Program Privacy Office at [UHC\\_Privacy\\_Office@uhc.com](mailto:UHC_Privacy_Office@uhc.com)
  - ~ Your supervisor or manager
  - ~ The Segment Compliance Officer/Compliance Lead
  - ~ The UnitedHealth Group Compliance & Ethics HelpCenter 800-455-4521 or [www.uhghelpcenter.ethicspoint.com](http://www.uhghelpcenter.ethicspoint.com) (available 24 hours a day, 7 days a week.)
- Security incidents (unauthorized access of UHG data/systems, laptop theft) must be **immediately** reported to the UHG Support Center at 888-848-3375 (24 hours a day, 7 days a week)

## Section 8: What are Expected Performance Standards?

- UnitedHealthcare prohibits retaliatory action against any individual for raising concerns or questions regarding ethics and compliance matters or for reporting suspected violations in good faith.

### **Privacy and Security**

You must protect the privacy and security of consumer/member Protected Health Information (PHI) and/or Personally Identifiable Information (PII) at all times. When conducting educational and/or marketing/sales activities and events, you must remember the safeguards below to ensure proper handling of PHI/PII and maintenance of consumer privacy. Agents who fail to protect consumer/member PHI/PII may be subject to financial responsibility for the payment of identity theft protection (e.g., LifeLock) for impacted members resulting from the loss of a device containing PHI/PII (e.g., laptop, mobile/smart phone, or other portable electronic device) and to corrective and/or disciplinary action up to and including termination.

### **Protected Health Information (PHI)**

PHI is individually identifiable information (including demographics) that relates to health condition, the provision of care/coverage, or payment of such care.

### **Personally Identifiable Information (PII)**

PII is a person's first name or first initial and last name in combination with one or more of the following:

- Social Security Number
- Driver's License Number or State Identification Card Number
- Credit card number or debit card number
- Unique biometric data (e.g., fingerprint, retina, or iris image)
- Tax information
- Account Number in combination with any required security code, access code or password that would permit access to an individual's financial account.

Interpretation of the above definitions of PHI/PII is dependent upon the how the consumer/member information is held (stored), used or treated and the definitions may overlap. PHI exists when held by a HIPAA Covered Entity (health plan) or a Business Associate of one (vendor, agent, etc.)

Agents Must:

- Carry only the minimum amount of hard copy documents with consumer/member PHI or PII necessary to complete the day's activities.
- Keep documents containing PHI/PII with them at all times while on marketing/sales activities, placing document in a folder or locked briefcase.
- Keep documents in a secure locked area (e.g., file cabinet).
- Encrypt all laptops, computers, smart phones, mobile phones, or other portable electronic devices in a manner so PHI/PII contained on laptops, computers, or other portable electronic devices is unreadable, undecipherable, or unusable.
- Position monitors, laptops, and other screens to minimize viewing PHI/PII by unauthorized personnel or the general public.

## Section 8: What are Expected Performance Standards?

- Double check the fax number or email address to ensure the intended recipient receives the document. Email PHI/PII using secure-encrypted program.
- Use a fax cover sheet containing the HIPAA Privacy Statement when faxing PHI or PII.
- Include the HIPAA Privacy Statement when emailing PHI or PII.
- Dispose of documents containing PHI/PII in a secure manner (e.g., shred).
- Report suspected privacy incidents to UnitedHealthcare Privacy Office at [uhc\\_privacy\\_office@uhc.com](mailto:uhc_privacy_office@uhc.com), agent manager/leadership, Segment Compliance Lead, UnitedHealth Group Ethics & Compliance Help Center at 1-800-455-4521, or [compliance\\_questions@uhc.com](mailto:compliance_questions@uhc.com).

Agents must not:

- Leave hard copy documents unattended in an area where the documents could be viewed by others (e.g., desk, vehicle, table, or booth)
- Discuss consumer/member information in public spaces, including halls, elevators, lobbies, lunchrooms, cafeterias, restaurants, lavatories, parking lots or other unsecured public places where the conversation could be overheard. You must be cognizant of eavesdroppers and others who may appear to be interested in your business.
- Leave laptops and/or documents containing PHI/PII unattended or unsecured outside the workplace (e.g., at home, at a hotel, while traveling, unattended in a vehicle).
- Share, store, or use consumer/member information inappropriately.
- Store PHI/PII in virtual (cloud) storage, unless the agent (or agency, if the agent is employed by an agency) has a proper Business Associate Agreement in place with the cloud storage provider, and the cloud storage where PHI/PII is stored has appropriate security controls (e.g., encryption, logging, etc.).
- Share user ID's/passwords to UnitedHealthcare systems with others.
- Put consumer/member information on a jump drive (or similar portable storage device) and enable a technical control to restrict use of such devices. Formally documented business justification is needed if portable storage is necessary to conduct business and the device must be enabled with a minimum of 256 bit encryption.
- Scan or store paper enrollment applications or business reply cards (BRC) electronically, except when employee agents use UnitedHealthcare approved applications/platforms (e.g., Optum Technology Tiger Text, Blackberry Work or employee's home directory) or when appropriate encryption software is in place to ensure the protection of private data transmission.
- Throw hard copy documents containing PHI/PII in the garbage, unless they have been shredded.

### **Fraud, Waste, and Abuse**

You are accountable for complying with all applicable laws, rules, regulations, policies, and procedures regarding fraud, waste, and abuse. UnitedHealthcare relies on your integrity, good judgment, and values to ensure we remain compliant.

Fraud is intentionally obtaining something of value through misrepresentation or concealment of facts. The complete definition of fraud has many components including:

- Intentional dishonest actions or misrepresentation of fact,

## Section 8: What are Expected Performance Standards?

- Committed by a person or entity, and
- With knowledge the dishonest action of misrepresentation could result in an inappropriate gain or benefit.

This definition applies to all persons and all entities.

Waste and abuse are generally broader concepts than fraud. Waste includes inaccurate payments for services, such as unintentional duplicate payments, and can include inappropriate utilization and/or inefficient use of resources. Abuse describes practices that, either directly or indirectly, result in unnecessary costs to health care benefit programs. This includes any practice that is not consistent with the goals of providing services that:

- Are medically necessary
- Meet professional recognized standards for health care, and
- Are fairly priced

Generally speaking, waste and abuse can be identified by the following concepts:

- Over-use of services
- Practices or activities – whether by providers, members, vendors, employees or contractors – that are inconsistent with sound business, financial, or medical practices
- Practices or activities that cause unnecessary costs to the health care system

In most cases, waste and abuse are not considered to be caused by careless actions but rather the misuse of resources.

You can report suspected fraud, waste, and abuse to the UnitedHealthcare Fraud Tip Line at 866-242-7727 (Monday – Friday from 8:00 a.m. – 6:00 p.m. or 24 hours a day, 7 days a week for recorded messages).

### **Ethics and Integrity**

Being ethical is much more than knowing the difference between right and wrong. It is being able to recognize and find your way through an ethical dilemma.

Merriam-Webster's Dictionary defines ethics as:

- The discipline dealing with what is good and bad and with moral duty and obligation.
- A theory or system of moral values
- A guiding philosophy.
- A set of moral issues or aspects.

Promoting an ethical and honest environment involves all agents embracing the values of honesty and integrity.

The following are several tips that should aid you in your daily activities:

- Understand the Centers for Medicare & Medicaid Services (CMS) regulations and UnitedHealthcare rules, policies, and procedures
- Report misconduct

## Section 8: What are Expected Performance Standards?

- Ask if you don't know the answer. Remember there are plenty of resources to help you make ethical decisions, so don't feel reluctant about asking advice.
- Take responsibility for your actions.
- Remember the 3Bs of Ethics and Integrity:
  - ~ Be Informed
  - ~ Be Aware
  - ~ Be Vocal

Ethical issues arise in most aspects of marketing and selling and encompass three main components disclosure, competency, and suitability.

### Disclosure

- You must disclose to consumer all information needed to make an informed decision
- You must inform consumers of the advantages, as well as, the limitations of the products you present
- You must disclose the interest you have in the transaction (e.g., any commissions received for a successful sale)
- Disclose all true out-of-pocket costs including, but not limited to, the fact that the consumer must keep paying their Medicare Part B premium
- Disclose the annual maximum out-of-pocket limit
- Take the time to answer the consumer's questions

### Competency

- You have an obligation to fully comprehend the products you are selling
- Product comprehension protects against placing a consumer into a non-suitable product

### Suitability

- You have an obligation to recommend a product that best meets the consumer's needs, goals, and financial resources
- Selling the right product, to the right consumer, at the right time should be your goal

You can report potential misconduct or policy violations to:

- Your Manager, Supervisor, or Sales Director
- [Compliance\\_Question@uhc.com](mailto:Compliance_Question@uhc.com)
- The UnitedHealth Group Compliance & Ethics HelpCenter 800-455-4521 or [www.uhghelpcenter.ethicspoint.com](http://www.uhghelpcenter.ethicspoint.com) (available 24 hours a day, 7 days a week.)

UnitedHealthcare expressly prohibits retaliation against employees or contractors who, in good faith, report or participate in the investigation of compliance concerns.

## Agent Performance Standards

UnitedHealthcare has developed performance standards and oversight programs to monitor agents and agencies that market and sell UnitedHealthcare Medicare Solutions products to ensure adherence to applicable CMS and Company rules, policies, and procedures.

## Section 8: What are Expected Performance Standards?

This guide outlines agent performance standards, sales management review, and oversight monitoring programs designed to ensure all agents are conducting sales, marketing, and enrollment activities in accordance with applicable rules, regulations, and UnitedHealthcare business requirements.

Your agency representative is responsible for completing the following oversight and development activities:

Your NMA must manage and monitor your agent performance by:

- Ensuring you complete all required UnitedHealthcare training.
- Communicating all product and regulatory information from UnitedHealthcare.
- Ensuring you participate in any UnitedHealthcare required remedial training.
- Ensuring any corrective action plan is completed and reported back to UnitedHealthcare.

### **Agents authorized to sell the UnitedHealthcare Senior Care Options**

Your UnitedHealthcare Senior Care Options sales management is responsible for ensuring that agents authorized to sell UnitedHealthcare Senior Care Options plans complete required product specific training, attend periodic meetings, and complete ongoing monitoring activities. Your UnitedHealthcare Senior Care Options Sales and Development manager will monitor and enforce your attendance at meetings and trainings.

- You will receive 30, 60, 90 day follow-up for continuing education, training, and case review upon certification in the UnitedHealthcare Senior Care Options Plan product.
- You are required to attend quarterly meetings with UnitedHealthcare sales management for continuing education, training, and case reviews and best practices.
- You will receive periodic ride-alongs to observe you at face-to-face presentations.

## Performance that may result in Immediate Termination

In some circumstances a recommendation for immediate termination (for-cause or not-for-cause) may occur.

Engaging in the following activities may result in a recommendation for immediate termination (refer to the Agent Termination section for details):

- Any occurrence of fraud, forgery, payments, inducements, deception, or coercion
- Sale of a UnitedHealthcare product when not appropriately licensed
- Violation of terms and conditions of Agent/Agency Agreement
- Gross violation of UnitedHealthcare policy and procedures or CMS regulations or guidelines
- Failure to divest or manage a conflict of interest as agreed upon by the Vice President of Operational Support and Forecasting and the Marketing and Sales Compliance Officer (see Conflict of Interest section)
- Any other applicable situations deemed appropriate by UnitedHealthcare

## Monitoring Programs

UnitedHealthcare has implemented a variety of monitoring programs to ensure all agents are conducting sales, marketing, and enrollment activity in accordance with federal regulations and UnitedHealthcare rules, policies, and procedures. Calculation methods and thresholds have been

## Section 8: What are Expected Performance Standards?

established for all compliance monitoring programs and are periodically reviewed. Deficient performance is categorized as Yellow (Complaint Monitoring only) or Red depending upon severity and patterns of performance. Monitoring programs reported in SMRT-Compliance include:

- Cancelled Enrollment Applications
- Complaints
- Late Enrollment Applications
- PCP Auto-Assign
- Rapid Disenrollment

Other monitoring programs are not reported through SMRT-Compliance and include:

- Unqualified Sales
- Suspicious Sales
- Event Related Infractions
- Use of a Public Web Enrollment Portal

UnitedHealthcare reserves the authority to monitor additional issues and circumstances as deemed warranted. At its discretion, UnitedHealthcare may discontinue or suspend CR creation and required coaching requirements for monitoring programs.

**For addition questions regarding the compliance monitoring thresholds, contact your NMA.**

### **Cancelled Enrollment Applications**

A consumer can cancel an enrollment application received by the enrollment center prior to the plan's effective date. The Cancelled Enrollment Application monitoring program calculates the cancellation rate by effective date for a given agent.

### **Complaints**

The complaint investigation outcome or process to which you are referred (e.g., CEC, CAR, DAC) determines the threshold reported in SMRT Compliance (see the Agent Complaint Process section for details). If you are referred to the CAR process, you must successfully complete the assigned sales remediation training course(s) and corresponding assessment, with a minimum score of 80% within six attempts, by the indicated due date. Additional outreach is conducted based on accumulated complaint points.

### **Late Enrollment Applications**

Late Enrollment Applications monitors the timely submission of enrollment applications.

### **PCP Auto-Assign**

PCP Auto-Assign monitors the accurate indication of a valid PCP identification number on a Medicare Advantage (MA) plan enrollment application. Effective 03/01/2018, monitoring will be limited to paper and LEAN Office enrollment applications for MA HMO plans (some exceptions apply) submitted by you. Sales Oversight maintains the list of included plans.

## Section 8: What are Expected Performance Standards?

### **Rapid Disenrollment**

Rapid Disenrollment monitors voluntary member disenrollment from a MA plan or Prescription Drug Plan (PDP) within three months of the effective date.

### **Unqualified Sales and Corrective/Disciplinary Action**

An unqualified sale occurs when you are not licensed and/or appointed (if applicable) in the state in which the consumer resides and/or certified in the product in which the consumer is enrolling at the time of sale.

- For the first two instances of an unqualified sale in a rolling 12-month period, you will be assigned a CAR and two complaint points.
- You will be terminated not-for-cause when a third unqualified sale is validated within a rolling 12-month period subsequent to completed corrective actions for the first two instances on the same type of unqualified sale. (Refer to the Termination Process section for termination details.)

### **Suspicious Sales Monitoring**

Two reports are used to monitor enrollment activity that is potentially fraudulent. The suspicious agent report looks for enrollment trends based on agent over time. The deceased enrollee report compares enrollment application receipt date to the consumer's reported death date. Potential incidents of suspected agent fraud are analyzed and forwarded for investigation as appropriate.

### **Event-Related Infraction**

The presenting agent is responsible for the accurate and timely reporting of events as indicated in the event reporting section. Prior to reporting and/or conducting an event, the presenting agent must pass the applicable Events Basics assessment.

- **Late Reported, Changed, or Cancelled Event**
  - ~ A report is generated that identifies events entered in UnitedHealthcare's event reporting application less than 7 calendar days prior to the date of the event and events that are changed or cancelled in the reporting application less than 1 business day prior to the date of the event.
- **Failure to Report**
  - ~ A failure to report infraction, results in a formal Operational Issues complaint against the presenting agent and a CAR.
    - You will be assessed two complaint points
    - You must complete assigned corrective action, which includes completing the on-line Operational Issues remediation module and a second session of the Events Basics module
    - You will receive Agent Coaching & Policy Specialist (ACPS)/BA coaching
    - You must complete an attestation of understanding that a second identical offense within the 12-month period following coaching will result in a DAC referral and may result in termination.
- **Failure to Complete Events Basics Assessment**
  - ~ A presenting agent who did not pass the applicable Events Basics assessment prior to conducting an event will receive coaching and will be assigned an Operational Issues

## Section 8: What are Expected Performance Standards?

complaint, two complaint points, and a CAR, which includes completing the Operational Issues remediation module and Events Basics assessment as assigned.

### ▪ **Presenting Agent is not Contracted with UnitedHealthcare**

~ If it is determined that a non-contracted agent conducted a marketing/sales event on behalf of UnitedHealthcare, the intended presenting agent will be determined and an attempt will be made to determine who made the decision to replace the presenting agent and what knowledge sales management had of the situation. Corrective and/or disciplinary action may include a no-show infraction against the presenting agent listed in the event reporting application, a Do Not Re-Contract flag against the non-contracted agent (if an inactive agent record is located in the UnitedHealthcare system).

### ▪ **Unsuccessful Event Infractions**

- ~ Unsuccessful Event infractions result when you did not show up for a reported event, the incorrect event type was reported, you arrived late and after the evaluator arrived, the reported and actual addresses of the event are not the same, the event could not be located due to inadequate signage, the time of the event was changed, or the event was cancelled but not reported.
- ~ You must complete assigned corrective action, which includes completing the Operational Issues remediation module and a second session of the Events Basics module. If you fail a second event observation/secret shop due to Unsuccessful Event in a 12-month rolling period after having been coached, you will be assigned corrective actions. Failing a third event observation/secret shop due to Unsuccessful Event in a 12-month rolling period after having been coached will result in a DAC referral.

### **Use of a Public Web Enrollment Portal**

You must not enroll a consumer using a consumer-facing website or be physically present with a consumer who is completing an enrollment application via a UnitedHealthcare public web enrollment portal. Enrollment activity is monitored for potentially fraudulent activity and outreach calls are made to members to identify the party who initiated, keyed, and submitted the enrollment application via a public web enrollment portal. When it is determined that you completed an enrollment via a UnitedHealthcare public web enrollment portal or were physically present when a consumer submitted an enrollment via a UnitedHealthcare public web enrollment portal, a formal Operational Issues complaint is substantiated and two complaint points and a CAR are assigned. If you complete a second enrollment in the same manner in a 12-month rolling period, after having been coached, you will be assigned corrective action. Submitting a third enrollment via a UnitedHealthcare public web enrollment portal, after having been coached, will result in a DAC referral.

### **Outreach and Coaching**

Outreach and progressive engagement, including coaching, training, corrective action, and/or termination will occur when performance in one or more areas reaches an unacceptable level or at UnitedHealthcare's discretion. Agent outreach is generally conducted by an Agent Coaching & Policy Specialist (ACPS).

## Section 8: What are Expected Performance Standards?

### Agent Complaint Process

Complaints, allegations of agent misconduct, and issues of non-compliance are serious matters that require prompt attention; will have reasonable, timely, and well-documented inquiry into, and identified problems will be promptly and thoroughly corrected to reduce the potential of reoccurrence.

#### **Sources of Complaints**

Complaints and allegations of misconduct can originate from both internal and external sources. All complaints against agents must be forwarded to the Agent Issue Management (AIM) team via the agent complaint tracking tool within five business days of initial receipt.

Sources of Complaints and Allegations of Misconduct:

- Internal sources include, but are not limited to, UnitedHealthcare Government Programs, Appeals and Grievances, Sales and Marketing, Service Integrity and Member Support, Provider Services, Care Coordination, Producer Help Desk (PHD), UnitedHealth Group Ethics and Compliance (Ethics Point), and other UnitedHealth Group lines of business.
- External sources include, but are not limited to, the Centers for Medicare & Medicaid Services (CMS), state Departments of Insurance (DOI) or Departments of Health or Public Welfare, state Attorneys General, providers, state or federal law enforcement, and other state or federal regulatory agencies.

#### **Initial Review and Pre-Disposition**

##### **Review Process**

The AIM team will complete the entry of each complaint as needed into the agent complaint tracking tool and a case number is assigned. Each complaint is reviewed to validate that it is within the scope of the agent complaint process.

- A complaint is closed and the case documented accordingly if the following conditions exist:
  - ~ No UnitedHealthcare sales agent is involved in the complaint
  - ~ The product identified in the complaint is not a UnitedHealthcare product
  - ~ The issue in question is not a violation of UnitedHealthcare policies, CMS guidelines, or federal or state rules or laws
  - ~ The basis for the complaint is due to an internal business operational issue and submitted through the agent complaint tracking tool
- If the complaint is in scope of the agent complaint process, it moves to the pre-disposition stage

##### **Pre-Disposition**

The AIM team reviews each complaint using the Complaint Education Contact (CEC) – CEC 2 – Corrective Action Referral (CAR) – Disciplinary Action Committee (DAC) Referral Criteria Grid to determine if the complaint is referred to the CEC process or the Compliance Investigations Unit (CIU) for investigation and in some circumstances, directly referred to Corrective Action Referral (CAR). The status of the complaint is updated in the agent complaint tracking tool.

## Section 8: What are Expected Performance Standards?

### **Complaint Education Contact Process**

The Complaint Education Contact process provides two levels of engagement (i.e. CEC and CEC2) and is used as an intermediary measure to proactively address agent complaint behavior in an effort to prevent repeat infractions and/or more egregious behavior by facilitating the training and coaching of agents based upon established criteria. Throughout this guide, the term CEC is used to include the processes related to both levels, CEC and CEC2. The CEC process includes the following steps:

- The AIM team uses the approval Referral Criteria Grid to determine appropriate outreach.
- If you are an active agent, the AIM team creates a Coaching Request (CR) in PCL and assigns it to the appropriate Agent Coaching & Policy Specialist (ACPS).
- If you are an inactive agent, a CR is not created. The AIM team updates the complaint status in the agent complaint tracking tool and notifies ALM to flag you Review Before Contracting (RBC), which serves as an alert in the event you attempt to re-contract. When you re-contract and become active, any outstanding coaching must be completed prior to conducting any marketing/selling activities.

### **Agent Complaint Investigation Process**

The Compliance Investigation Unit (CIU) is responsible for the investigation of complaints involving agents who market and sell UnitedHealthcare products. Complaints referred to the CIU are repeat issues or severe allegations of misconduct. At any point during the investigation, the AIM team or CIU may determine by using a severity grid that a recommendation to suspend your ability to market and sell UnitedHealthcare products is justified. The CIU will forward the suspension recommendation to the Director or Agent Issue Management.

### **Initial Review and Assignment of Case**

Upon receipt of a complaint referral from the AIM team, the CIU makes a preliminary assessment of the case and assigns the case to an investigator who initiates an investigation as quickly as possible.

### **Investigation**

The investigation process consists of obtaining information, documenting findings, and determining allegation outcomes.

#### Obtaining Information and Documenting Findings

- Generally, a Request for Agent Response (RAR) is prepared and sent directly to you and to your External Distribution Channel (EDC) management hierarchy. The RAR requests that you provide specific detailed responses to each allegation as well as other pertinent questions, facts, and circumstances. You must submit your own RAR statements with an Agent Attestation of Signature. A written response to the RAR is required within five business days. If a response is not received by the date requested, you, along with your EDC management hierarchy, are sent a Non-Response Letter (NRL) stating that a response must be received within two business days. If no response is received within the prescribed timeframe, an administrative termination is initiated.
- Members or their authorized representatives may be interviewed during an investigation to gather required details regarding the complaint or to confirm identity of the agent and/or other pertinent facts. All contact with members is made in accordance with CMS guidance.

## Section 8: What are Expected Performance Standards?

- The investigator may also conduct a telephone interview with you. These interviews may occur prior to or as a follow-up to the RAR or NRL when the investigator needs more information or clarification of details.
- Interviews of other witnesses relevant to the investigation are also conducted as determined appropriate.
- System research is conducted to obtain information regarding claims, customer service notes, lead generation, and other details as determined in reviewing the case (CIU investigator, CIU management) to assist investigators resolve allegation outcomes.

### **Allegation Outcomes**

A complaint may contain one or more separate allegations as determined by the investigation. Each allegation is investigated and an outcome determined on its own merits. Therefore, different allegation outcomes may result from one complaint. Following the review of an allegation, investigation, and consideration of the findings, one of the following allegation outcomes is assigned:

- **Substantiated:** Based on the evidence and facts that existed at the time the investigation was conducted and applicable state regulations, CMS Medicare Communications and Marketing Guidelines (MCMGs), internal policy, or other authority, a reasonable person would conclude that the allegation is true.
- **Unsubstantiated:** Based on the evidence and facts that existed at the time the investigation was conducted and applicable MCMGs, internal policy, or other authority, a reasonable person would conclude that the allegation is unfounded.
- **Inconclusive:** There was insufficient evidence, facts, or corroborating evidence that existed at the time the investigation was conducted that would lead a reasonable person to conclude the allegation is neither substantiated nor unsubstantiated.
- **Insufficient Information:** The complaint lacked the minimum amount of information necessary to determine the identity of the agent, member, or other information necessary to conduct a complex investigation.
- **No Allegation:** The complaint is determined not to have been a complaint against the agent for sales or marketing misconduct in accordance with MCMGs and company policy.
- **Non-Response:** You failed to respond within the required timeframes to the RAR and NRL.

### **Refer for Disposition**

Upon completion of the investigation, the Investigative Report, Investigative Findings, and Allegation Outcomes are generally documented in the agent complaint tracking tool. The case is updated as 'Refer for Disposition' in the tracking tool and is referred back to the AIM team. Supporting documentation, including exhibits, are provided to the AIM team within the tracking tool. Effective 05/05/2021, the CIU may refer for disposition, cases that no longer meet the requirement for CIU investigation back to the AIM team.

### **Assignment of Final Disposition**

The AIM team considers each allegation outcome to determine the final disposition. The following final dispositions are available:

## Section 8: What are Expected Performance Standards?

### No Action Required

The following situations result in no required action and the case is closed in the agent complaint tracking tool:

- The allegation outcome is Insufficient Information, No Allegation, or Unsubstantiated. If the investigation results in unsubstantiated outcomes for all allegations, the Agent Closure Letter is emailed to you, thanking you for your cooperation and notifying you of the investigative results.
- The allegation outcome is Inconclusive or Substantiated, you have received outreach for the same allegation or the same allegation family within the past twelve months, and the event/enrollment application for the current allegation took place before the outreach occurred.

### Referral to the Corrective Action Referral Process

For allegation outcomes of Inconclusive or Substantiated, the AIM team uses the CEC-CEC 2-CAR-DAC Referral Criteria Grid to determine if a referral to the Corrective Action Referral (CAR) process is appropriate. The following situations result in a CAR process referral:

- You **have not** had outreach for the same allegation(s) within the past twelve months and the CEC-CEC 2-CAR-DAC Referral Criteria Grid recommends referral to the CAR process.
- You have exhausted all CEC/CEC2 opportunities for the same allegation family (-ies) within the past twelve months and the event/enrollment application for the current allegation took place after those previous CEC/CEC 2 outreaches occurred.

### Referral to the Disciplinary Action Committee

For allegation outcomes of Inconclusive or Substantiated, the AIM team will use the CEC-CEC 2-CAR-DAC Referral Criteria Grid to determine if a referral to the Disciplinary Action Committee (DAC) is appropriate. The following situations result in a DAC referral:

- You **have not** had outreach for the same allegation(s) in the past twelve-months and the CEC-CEC 2-CAR-DAC Referral Criteria Grid recommends referral to the DAC.
- You have had outreach for a non-CEC eligible allegation (i.e. high-risk) through either the CAR or DAC process within the past twelve months and the event/enrollment application for the current allegation took place after that previous CAR or DAC outreach occurred.
- You have had repeated instances of lower severity complaints.
- Your behavior poses a continuing risk to company reputation or harm to members.
- You have been terminated for cause from another UnitedHealth Group line of business (e.g., Employer and Individual (E&I)).

### Corrective Action Referral Process

The Corrective Action Referral (CAR) process supports the progressive disciplinary process and is a proactive measure intended to address egregious agent behavior. The retraining efforts through the CAR process are delivered in a prompt manner intending to correct the underlying problem that resulted in program violation and to prevent future noncompliance. The following steps are taken when a referral is made to the CAR process:

- If you are an active agent, the AIM team creates a Coaching Request (CR) in PCL and assigns it to the appropriate Agent Coaching & Policy Specialist (ACPS) and submits a request to certification operations to assign the applicable sales remediation module(s) to you.

## Section 8: What are Expected Performance Standards?

- If you are an inactive agent, a CR is not created. The AIM team updates the complaint status in the agent complaint tracking tool and notifies ALM to flag you RBC, which serves as an alert in the event you attempt to re-contract. When you re-contract and becomes active, any outstanding coaching must be completed prior to conducting any marketing/selling activities.

### Disciplinary Action Committee

The Disciplinary Action Committee (DAC) is responsible for determining appropriate disciplinary and/or corrective action up to and including agent termination.

### Committee Membership and Mechanics

- The DAC, chaired by the Director of Agent Issue Management, is comprised of management-level representatives from Compliance, Regulatory Affairs, sales, and sales operations.
- A representative of the Legal Department serves as a legal advisor to the committee.
- The DAC meets once a week if there are cases to be reviewed or as needed to ensure referrals to the committee are addressed in a timely manner.
- A quorum of voting members is required to review referrals and vote on recommendations for disciplinary action.
- An agenda and minutes are filed for each meeting and the DAC docket and agent complaint tracking tool are updated with the meeting outcomes.

### DAC Proceedings

- The DAC reviews the merits of the complaint and the investigation findings, and any other pertinent information (e.g., agent complaint and compliance history).
- If additional information is required, the DAC may request and consider other relevant information. As necessary, the case is deferred and placed on a future DAC meeting agenda.
- The committee determines and votes on an outcome. Approval by a majority of voting members present is required.

### DAC Outcomes

The following outcomes are available to the DAC:

- No Action Required
  - ~ The DAC determines you do not require additional training to address the issue presented.
- Corrective Action
  - ~ The DAC recommends appropriate corrective action tailored to address the complaint or issue of noncompliance and timelines for completion. In such cases, the AIM team opens a Coaching Request in PCL, in addition to drafting and sending a formal corrective action letter that is sent to you and your manager/supervisor notifying the appropriate manager to facilitate appropriate outreach and training to you or the agency if the issue is best addressed at the agency level.
- Deauthorization of Sales and Marketing Activity
  - ~ The DAC deauthorizes you from performing sales and marketing activity of a particular product until assigned corrective action is completed. The DAC chairperson is responsible for notifying your manager of the deauthorization and required training. Your manager is responsible for monitoring the completion of the assigned training.
- Termination

## Section 8: What are Expected Performance Standards?

- ~ The DAC terminates you. In addition to the decision to terminate you, the DAC must determine if the termination is for-cause or not-for-cause. ALM is notified to flag you RBC. (Refer to the Agent Termination Process section for termination process details.)

### Complaint point System

Points will be assessed to actionable complaints (i.e. Inconclusive or Substantiated outcomes) based on the outcome of the complaint with point accumulation over a rolling 12 months. A CEC or CEC2 is assessed 1 point, a CAR 2 points, and a DAC with actionable outcomes 3 points. Effective 06/01/2021, complaint points will not be assigned to CAR cases that meet eligibility criteria. An agent will receive training/outreach or escalated disciplinary action when their accumulated points meet or exceed a threshold.

### Coaching Request Extension Process

Under certain circumstances, an Agent Coaching & Policy Specialist (ACPS)/BA may request from AIM an extension to the required CR completion date. Contact your Agent Coaching & Policy Specialist (ACPS)/BA for process details.

## Revocation of Authority to Sell

### Revocation of Authority to Sell Specific Medicare Advantage Products

Your performance is monitored in a variety of areas including rapid disenrollment rates and complaint ratios and is measured against established thresholds. If your performance fails to meet defined performance thresholds, coaching, corrective action, and/or disciplinary action may be imposed. Refer to the Agent Performance section for detailed information on performance standards, oversight, and development.

If you fail to comply with or maintain acceptable complaint ratios and/or rapid disenrollment rates is limited to a specific product and efforts to remediate do not achieve the desired change in the agent's performance against monitoring program threshold(s), UnitedHealthcare may process a termination of your authority to sell the identified product.

### Revocation of Authority Process

Authority to sell specific products is defined within your agent agreement. If your authority to sell a specific product is revoked; you will receive a contract amendment. The process for implementing a revocation of authority includes:

- You will receive a notification letter detailing the authority revocation, the product, and the effective date. Note: the effective date is 30 days or the based on the terms of your agent agreement. The notification letter also provides you with reinstatement rights and instructions.
- Commissions will not be paid on any enrollment applications written for the applicable product after the revocation of authority effective date.
- You will continue to receive commission renewals, if eligible, for business written prior to the revocation effective date.
- Contact your up-line for additional process details.

### Revocation of Authority Appeal Process

You may appeal the revocation of your authority to sell a specific product.

## Section 8: What are Expected Performance Standards?

- An appeal can be filed when you are notified of the revocation for the current sales year or in the future for a new sales year.
- All appeals must be in writing and must include your name and address and be submitted via email to [business\\_monitoring@uhc.com](mailto:business_monitoring@uhc.com).
- In the written appeal, you must clarify and provide detail, or explain mitigating circumstances, regarding the complaint and/or rapid disenrollment findings, including correction of errors or share extenuating circumstances.
- Written notification of the DAC's decision is sent to you via carrier for expedited delivery and by email.
- The decision of the DAC is final.
- You must wait a minimum of six months after a notification of denial to submit a request for reauthorization to sell a product.
- Contact your up-line for additional appeal process details.

## Demotion of Authorize to Offer (A2O) Elite Status of AARP Medicare Supplement Insurance Plans

### Agent Performance Standards and Thresholds

To retain active Authorized to Offer (A2O) Elite status of Authorized to Offer AARP Medicare plans you must meet certification requirements and sales minimum to retain access to A2O Elite marketing materials. The sales period is measured annually and based on production from January 1 through December 31. If you are an up-line agent, you will be credited with production from your down-line agents based on sales. The following quality production guidelines apply to obtain/retain active statuses:

### A20 Elite (also known as Level 2) Status:

To obtain/retain A20 Elite (also known as Level 2) status, you must meet the annual sales minimum by submitting at least thirty commission-eligible accepted and paid enrollment applications of AARP Medicare Supplement plans during the annual production measurement.

- If you fail to meet the annual sales minimum, you will be demoted to A2O (also known as Level 1) status. If you are demoted to Level 1, you may continue to offer AARP Medicare Supplement plans; however, you will not have access to A2O Elite (also known as Level 2) marketing materials. Notification of demotion will be sent to you. The letter will include an effective date (30 days from the notification date), and reinstatement and appeal rights.
- If you have 150 or more active AARP Medicare Supplement members in your book of business at the end of the annual measurement period, you will be excluded from production requirements and retain your status.

### Demotion Appeal Process

You may appeal an A2O Elite level demotion. UnitedHealthcare Insurance Solutions will review and respond to any appeals and render a decision.

- All appeals must be in writing, include your name, ID number, contact information, and reason for appeal and be submitted via secure delivery email to [phd@uhc.com](mailto:phd@uhc.com) no later than the date indicated in the notification.

## Section 8: What are Expected Performance Standards?

- In the written appeal, you must clarify and provide detail, or explain mitigating circumstances, supporting your reason for the appeal.

### Suspension of Agent Marketing/Sales Activities

At any time should UnitedHealthcare believe your performance or actions pose a potential threat to consumers/members, threaten or damage the reputation of UnitedHealthcare, or do not meet company and compliance standards, UnitedHealthcare can initiate the suspension of your ability to market and sell UnitedHealthcare Medicare Solutions products.

- If a determination to suspend your ability to market or sell is made, you will receive a suspension notification letter. The suspension letter will be sent via email to you with a copy sent to your immediate upline.
- The suspension is effective immediately as of the date of the letter of notice and shall continue until the investigation is complete and a final disciplinary recommendation has been made and completed or as indicated in the notification letter.
- You are not to market or sell UnitedHealthcare Medicare Solutions products while on a suspension status.
- New business written during the suspension period will not be eligible for commission. UnitedHealthcare reserves the right to hold any or all commissions, while on suspension status.
- Contact your up-line for additional details regarding a suspension of marketing and sales activities.

### Termination of Non-Producing EDC Agent/Agency

(Effective 07/01/2018)

UnitedHealthcare may at its discretion terminate agent/agency (not including solicitors or eAlliance) that do not meet minimum production requirements during the recurring annual evaluation period.

You will be sent a termination notification letter 30 days prior to the termination effective date, which includes the reason for termination, the effective date of termination, and instructions for submitting an appeal. A copy of the notification letter is sent to your NMA and is uploaded to your agent sales file.

You may submit an appeal of the termination within the 30-day termination notification period if one of the following conditions can be met:

- Proof of at least one sale during the evaluation period (e.g., a copy of commission statement or a screen shot from Jarvis).
- Proof you are solely in a non-selling role (e.g., training, operations, administrative). The NMA must provide a signed letter verifying your role and include a request to move you to a solicitor level.
- Proof you are the principal and use the writing number of your agency (e.g., a copy of the agency commission statement).

If an appeal is not filed, or is denied, a not-for-cause termination will be processed on the termination effective date. (See the Termination Process section.)

## Section 8: What are Expected Performance Standards?

### Termination of Non-Certified EDC Agent/Agency – Non-Employee

UnitedHealthcare may at its discretion terminate you if you fail to certify for a new plan year.

- You will be terminated and you will be sent a termination notification letter detailing the reason for termination, the effective date of termination, and instructions for submitting an appeal to Producers Help Desk (PHD). A copy of the notification letter is sent to your NMA and is uploaded to your agent sales file.
- An appeal may be submitted within the notification period (typically 30 days or based on the terms of the Agent Agreement) if one of the following conditions can be met:
  - ~ Proof of sales (e.g., a copy of a commission statement or a screen shot from Jarvis).
  - ~ Proof you use the writing number of an agency (e.g., a copy of the agency commission statement).
- If an appeal is not filed, or is denied, a not-for-cause termination will be processed on the termination effective date. (see the Termination Process section)
- You are eligible to apply to re-contract immediately following the termination effective date.

### Termination – Disciplinary Action

Refer to the Complaints and Allegations of Agent Misconduct section for termination determinations made by the DAC.

### Termination – Administrative

Administrative terminations are disciplinary, not-for-cause terminations initiated by the Agent Issue Management (AIM) team in certain circumstances including:

#### **Administrative Termination – Compliance Investigations Unit (CIU)**

If you fail to respond within the prescribed timeframes to the Request for Agent Response (RAR) and Non-Response Letters (NRL) sent by an investigator during a complaint investigation (See the Agent Complaint Process for details to the investigation process section).

- The AIM team sends you a notification of termination letter detailing the reason for termination, the termination effective date, and the appeal process via email, with a read receipt, to your address in ICM. A copy of the notification is sent to your NMA and to ALM.
- ALM will process the termination 30 days from the termination notification date and add a Review Before Contracting (RBC) flag to your file.
  - ~ If within 30 days from the date of the letter you provide a sufficient RAR/NRL response to the investigator, the investigator will alert the AIM team and a retraction to the notification of termination letter will be sent via email with a read receipt. A copy is sent to your NMA and to ALM.
  - ~ If the termination becomes effective, you may request a reconsideration of an administrative termination. (See the Agent Request for Reconsideration – Non-Employee Agent section)

## Section 8: What are Expected Performance Standards?

### **Administrative Termination – Agent Coaching & Policy Specialist (ACPS)**

If you fail to complete required training/coaching resulting from a Complaint Education Contact (CEC/CEC2), Corrective Action Referral (CAR), or Disciplinary Action Committee (DAC) referral or any required compliance monitoring program coaching.

- The AIM team sends you a notification of termination letter detailing the reason for termination, the termination effective date, and the appeal process via email, with a read receipt, to your address in ICM. A copy of the notification is sent to your NMA and to ALM.
- ALM will process the termination 30 days from the termination notification letter and add a RBC flag to your file.
  - ~ If within 30 days from the date of the letter, your Agent Coaching & Policy Specialist (ACPS) provides notice that you have completed all coaching and corrective action requirements, your Agent Coaching & Policy Specialist (ACPS) will alert the AIM team and a retraction to the notification of termination letter will be sent via email with a read receipt. A copy is sent to your NMA and to ALM.
  - ~ If the termination becomes effective, you may request a reconsideration of an administrative termination. (See the Agent Request for Reconsideration – Non-Employee Agents section)

### **Termination – Due to Unqualified Sale**

An unqualified sale is a sale by an agent who, at the time the enrollment application was written, was not appropriately licensed or appointed (if applicable) in the state in which the consumer resides or certified in the product in which the consumer enrolled.

- An unqualified sale does not necessarily affect the member’s enrollment in the plan, but the member may request to make a plan change.
- UnitedHealthcare will not pay a commission on any enrollment application determined to be an unqualified sale.
- Termination due to Certification or Appointment Issue or License Issue effective 07/01/2018  
You will be terminated not-for-cause when a third unqualified sale is validated within a rolling 12-month period subsequent to completed corrective action for the first two instances on the same type of unqualified sale. (See the Termination Process section.)
  - ~ You may submit an appeal during the termination notification period (typically 30 days or based on the terms of your agent agreement) by providing documentation that includes proof of an active license, state appointment, and/or product certification at the time of sale.
  - ~ You must wait a minimum of 12 months from the date of the unqualified sale that initiated the termination process before you can seek to re-contract.
  - ~ You may request a reconsideration of a termination (See the Agent Request for Reconsideration – Non-Employee Agents section).

### **Discretionary Termination without Cause**

You may be discretionary terminated at will and without cause by UnitedHealthcare sales management upon 30 days prior written notice.

### **Termination Process**

All terminations must be classified for-cause or not-for-cause.

## Section 8: What are Expected Performance Standards?

### Not-for-Cause Termination

A not-for-cause termination may be initiated for you by UnitedHealthcare or requested for any reason by you or your NMA (if applicable). The termination notification period is 30 days or per your agent agreement unless immediately effective as requested by you. Depending on the reason for termination, you may be flagged RBC in contracting system.

### Not-for-Cause Termination Process

- When UnitedHealthcare initiates a not-for-cause termination a not-for-cause termination letter, detailing the reason for termination, the termination effective date, and the appeal process (if applicable) may be sent to you via email, with a read receipt if applicable, to your address in ICM.
- When the DAC initiates a disciplinary action not-for-cause agent termination, a not-for-cause termination letter, detailing the reason for termination, the termination effective date, and the appeal process (if applicable), is sent to you via email, with a read receipt, to your address in the contracting system.
- Agent and/or NMA initiated not-for-cause termination requests are submitted for processing to ALM via email to [UHPCred@uhc.com](mailto:UHPCred@uhc.com) with the subject "Termination".
- Upon receipt of a not-for-cause termination request, ALM updates the contracting system with the appropriate termination effective date.
- The appointment termination is processed by ALM based on the termination effective date.
- If you have down-line agents and the termination is requested by UnitedHealthcare or is due to an unqualified sale, the entire down-line is reassigned to the next hierarchy as of the termination effective date. Any solicitors in the down-line are terminated as of the termination effective date.
- If you have down-line agents and the termination is requested by the NMA, the entire down-line is terminated or reassigned to the next hierarchy.
- You are flagged RBC in the contracting system upon the DAC referral for disciplinary termination, directed by Legal, AIM team (for administrative terminations), field sales leadership, or as the result of an unqualified sale due to no license or repeated appointment or certification failures (i.e. not properly appointed/certified at time of sale).
- If you are terminated for disciplinary or administrative termination, you may request a reconsideration of termination. (See Request for Reconsideration section)

### For-Cause Termination

UnitedHealthcare may initiate for you a for-cause termination. If you are terminated for-cause, you will be flagged RBC in the contracting system. UnitedHealthcare will report for-cause terminations to the appropriate state Department of Insurance (DOI) and the Center for Medicare and Medicaid Services (CMS).

### For-Cause Termination Process

- You will receive a for-cause termination letter, detailing the reason for termination, the termination effective date, and the appeal process via email, with a read receipt, to your address in ICM.
- ALM is notified of the termination request by the AIM team.

## Section 8: What are Expected Performance Standards?

- ALM processes the for-cause state appointment termination with the same termination date as indicated in the termination notification letter.
- If you have down-line agents, the entire down-line is reassigned to the next hierarchy as of the termination effective date. Any solicitors in the down-line are terminated as of the termination effective date.
- You are flagged RBC in the contracting system.
- If you are terminated for disciplinary or administrative termination, you may request a reconsideration of a termination. (See Agent Request for Reconsideration section)

### State and CMS Notification Process

UnitedHealthcare will comply with all regulatory requirements regarding state and CMS notification of appointment termination of agents.

- Contact your up-line for additional details.

## Request for Reconsideration

### Agent Request for Reconsideration – Non Employee Agents

If your contract and/or appointment were terminated as a result of a disciplinary termination or an administrative termination, you may request a reconsideration of that decision.

- You must complete and email a Request for Reconsideration of Appointment form and all supporting documentation to [business\\_monitoring@uhc.com](mailto:business_monitoring@uhc.com) within 90 days of the termination effective date. If an initial request is received after 90 days of the termination effective date, the request will be addressed on a case-by-case basis by the AIM team and Sales Operations Leadership.
- The DAC will review the reconsideration request at a future DAC meeting.
  - ~ If there are open complaints against you, the committee will review them in order to determine whether to proceed with considering your reinstatement request.
  - ~ The DAC will review the reconsideration request, along with any pertinent information, and render a decision. The decision is documented in the DAC minutes and written notification of the DAC's decision is sent to you via carrier for expedited delivery and by email, with a read receipt, to your address in ICM.
- If you are approved for reinstatement, you must begin the re-contracting process by submitting a new contracting packet. All contracting requirements apply, including a background check and certification application. Any open complaints or previously assigned corrective action must be processed and completed by you upon on-boarding.
- If you are denied reinstatement after DAC Determination, the RBC status remains indefinitely.

### Agent Request to Re-contract after Denial – Non-Employee Agents

Under certain circumstances, if you are denied reinstatement through the process previously outlined in the Agent Request for Reconsideration – Non-Employee Agents section above, you are permitted to re-contract. The following guidelines apply to disciplinary and Administrative terminations:

### DAC For-Cause Termination

- A minimum waiting period of 36 months from your termination effective date is required before your re-contract request is considered.

## Section 8: What are Expected Performance Standards?

- You must have the approval and support of a senior UnitedHealthcare sales leader (e.g., Regional Senior Vice President) to proceed with your re-contract request.
- You and your sales leader must request, complete, and email a Request for Reconsideration of Appointment form and all supporting documentation to the AIM team via [business\\_monitoring@uhc.com](mailto:business_monitoring@uhc.com).
- The AIM team will review your complaint history. If you have unaddressed complaints received after termination, which have substantiated allegation outcomes for allegations within the Risk to Consumers/Organization allegation family will be denied a re-contracting request unless an exception is granted by Sales Operations Senior leadership.
- The DAC reviews the re-contracting request, sales behavior changes made by you, and a detailed future action plan by the sales leader or up-line in order to make a determination. The DAC may amend your action plan or deny re-contracting based on an insufficient action plan.
- If the DAC approves the re-contracting request, the Chief Compliance Officer will cast the final approval/rejection vote and may consult with the market Senior Vice President and/or request additional information to make their decision.
- The RBC flag will be removed and you must address any outstanding member complaints following the reappointment.
- If the DAC denies the re-contracting request, the RBC flag will remain and you are prohibited from future contracting opportunities.

### **DAC Not-for-Cause Termination**

- A minimum waiting period of 24 months from your termination effective date is required.
- You must have the approval and support of a UnitedHealthcare sales leader in order to submit a request to re-contract.
- You and the sales leader must request, complete, and email a Request for Reconsideration of Appointment form and all supporting documentation to the AIM team via [business\\_monitoring@uhc.com](mailto:business_monitoring@uhc.com).
- The AIM team will review your complaint history. If you have unaddressed complaints received after termination, which have substantiated allegation outcomes for allegations within the Risk to Consumers/Organization allegation family, you will be denied a re-contracting request unless an exception is granted by Sales Operations Senior leadership.
- The DAC reviews the re-contracting request, sales behavior changes made by you, and a detailed future action plan by the sales leader or up-line in order to make a determination. The DAC may amend your action plan or deny re-contracting based on an insufficient action plan.
- If the DAC approves the re-contracting request, the RBC flag will be removed and you must address any outstanding member complaints following the reappointment.
- If the DAC denies the re-contracting request, the RBC flag will remain and you are prohibited from future contracting opportunities.

### **Administrative Termination - CIU**

- A minimum waiting period of 12 months from your termination effective date is required.
- You must have the approval and support of a UnitedHealthcare sales leader in order to submit a request to re-contract.

## Section 8: What are Expected Performance Standards?

- You and a UnitedHealthcare sales leader must request, complete, and email a Request for Reconsideration of Appointment form and all supporting documentation to the AIM team via [business\\_monitoring@uhc.com](mailto:business_monitoring@uhc.com).
- The AIM team will review your complaint history and open a request to address an outstanding investigation.
- You must respond and cooperate with the CIU until the outstanding investigation is completed. Note: If the initial receipt date exceeds 24 months prior to the request for reconsideration the reconsideration must be heard by the DAC prior to completion of the investigation.
  - ~ If you fail to respond and cooperate with the investigation a second time, the re-contracting request will be denied and you will be prohibited from future contracting opportunities.
  - ~ If unaddressed complaints received after termination have substantiated allegation outcomes for allegations within the Risk to Consumers/Organization allegation family, the re-contracting request will be denied, unless an exception is granted by Sales Operations Senior leadership.
- The DAC reviews the re-contracting request, sales behavior changes made by you, and a future action plan.
- If the DAC approves the re-contracting request, the RBC flag will be removed, the AIM team will disposition the investigation findings following the reappointment.
- If the DAC denies the re-contracting request, the RBC flag will remain and you are prohibited from future contracting opportunities.

### **Administrative Termination - Agent Coaching & Policy Specialist (ACPS)**

- A minimum waiting period of 12 months from your termination effective date is required.
- You must have the approval and support of a UnitedHealthcare sales leader in order to submit a request to re-contract.
- You and a UnitedHealthcare sales leader must request, complete, and email a Request for Reconsideration of Appointment form and all supporting documentation to the AIM team via [business\\_monitoring@uhc.com](mailto:business_monitoring@uhc.com).
- The AIM team will review your complaint history. Re-contracting requests are denied when you have received complaints after termination that have an allegation within the Risk to Consumers/Organization allegation family with a substantiated allegation outcome, unless an exception is granted by Sales Operation Senior leadership.
- The DAC reviews the re-contracting request, sales behavior changes made by you, and a future action plan.
- If the DAC approves the re-contracting request, the RBC flag will be removed, previous corrective action will be re-opened and referred for completion following the reappointment. If you fail to complete the previous corrective action, you will be terminated and are prohibited from future contracting opportunities.
- If the DAC denies the re-contracting request, the RBC flag will remain and you are prohibited from future contracting opportunities.

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### Glossary of Terms

This glossary is not a complete glossary of terms and should not be copied, used for other documents, distributed and/or reproduced.

Term	Definition
<b>A</b>	
<b>AARP®</b>	AARP (formerly known as American Association of Retired Persons) is a membership organization for people age 50 and over.
<b>AARP Services, Inc. (ASI)</b>	The organization that administers AARP.
<b>Agent Issue Management (AIM) Team</b>	The team that manages the intake, review, and disposition of agent related complaints.
<b>Administrative Termination</b>	A not-for-cause appointment termination that results when an agent fails to respond in the prescribed time to a Request for Agent Response or fails to complete corrective and/or disciplinary action within the prescribed time frame.
<b>Advertising Materials</b>	Advertising materials are intended to attract or appeal to a plan sponsor consumer. Advertising materials contain less detail than other marketing materials and may provide benefit information at a level to entice a consumer to request additional information. Some examples include television, radio advertisements, print advertisements, billboards, and direct mail.
<b>Agent</b>	A global term to refer to any licensed, appointed (if applicable), and certified individual soliciting and selling UnitedHealthcare products, including, but not limited to, NMA, FMO, MGA, GA, ICA, IMO, ISR, Broker, Solicitor, or Telesales agent. See also Solicitor and Producer.
<b>Agent ID</b>	<i>See Writing Number.</i>
<b>Agent Manager</b>	A UnitedHealthcare employee responsible for the relationship between a field agent and UnitedHealthcare.
<b>Agent of Record</b>	The agent that presented the plan information to the consumer, signed the enrollment application, and continues to service the member once enrolled. The agent of record is the agent that is eligible for commission.
<b>Agent Lifecycle Management</b>	The functional area within UnitedHealthcare that manages the centralized contracting and appointment data required to ensure sales agent file information is compliant with CMS and applicable state Department of Insurance (DOI) guidelines.
<b>Allegation</b>	A claim or assertion that an agent violated CMS Medicare Communications and Marketing Guidelines, Company policy, or engaged in other inappropriate sales activities.
<b>Americas Health Insurance Plans</b>	A national trade association whose agents sell health insurance coverage and provide health-related services.

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<b>(AHIP)</b>	
<b>Annual Election Period (AEP)</b>	An annual period (October 15 through December 7) when consumers and members can make new plan choices. Consumers may elect to join a Medicare Advantage (MA) or Prescription Drug (Medicare Part D) Plan for the first time. Members can change or add Medicare Part D, change MA Plans or return to Original Medicare. Elections made during this period will become effective January 1st of the following year.
<b>Annual Notice of Change (ANOC)</b>	Notification to active members of plan premium, benefits and cost sharing changes for the next calendar year. Also, the name used to describe the process of generating the plan information for the next calendar year notifications.
<b>Anti-Kickback Statute</b>	<p>The primary purpose of the federal anti-kickback statutes or laws is to restrict the corrupting influence of money on health care decisions – including knowingly and willingly offering payment or gifts to induce referrals of items or services covered by Medicare, Medicaid, or other federally funded program. <i>(See 42 U.S.C. 1320a–7b)</i></p> <p>Examples of activities that may be prohibited under the statute:</p> <ul style="list-style-type: none"> <li>• Offering cash reimbursement in exchange for an enrollment or referral.</li> <li>• Offering gifts or services greater than a nominal amount permitted by federal guidelines.</li> <li>• Offering gifts or services dependent on enrollment or referral.</li> </ul> <p>A violation of the federal anti-kickback law is a felony offense that carries criminal fines of up to \$25,000 per violation, imprisonment for up to five years and exclusion from government health care programs.</p>
<b>Appeal (Part C)</b>	A formal request of UnitedHealthcare to review and possibly change a medical coverage decision that has been made. Also referred to as plan reconsideration. To initiate a fast or standard appeal, the member, member’s representative, or doctor must contact UnitedHealthcare via phone, fax, mail or the website. UnitedHealthcare will consider the appeal and provide an outcome. If the plan denies some or all of the appeal, it will be automatically sent to the next level of the appeals process. An Independent Review Organization will review the appeal and provide an outcome. If the decision is upheld and the request meets certain requirements, the appeal may be taken further. Refer to the plan’s Evidence of Coverage for details on filing.
<b>Appeal (Part D)</b>	A formal request of UnitedHealthcare to review and possibly change a prescription drug coverage decision that has been made. Also referred to as a plan redetermination. To initiate a fast or standard appeal, the member, member’s representative, or doctor must contact UnitedHealthcare via phone, fax, mail or the website. UnitedHealthcare will consider the appeal and provide an outcome. If the plan denies some or all of the appeal, it will be automatically sent to the next level of the

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	appeals process. An Independent Review Organization will review the appeal and provide an outcome. If the decision is upheld and the request meets certain requirements, the appeal may be taken further. Refer to the plan's Evidence of Coverage for details on filing.
<b>Appointment (Agent)</b>	A procedure required by most states that grants limited authority to an individual to market and sell a company's insurance products within that state.
<b>Appointment – Sales Presentation</b>	<i>See Personal/Individual Marketing Appointment</i>
<b>American Sign Language (ASL) Interpreter</b>	An individual that translates verbal language into sign language for the hearing or speech impaired.
<b>Authorized Representative</b>	The person authorized under state law to make health care related decisions on behalf of another individual. For example, power of attorney with appropriate authority.
<b>B</b>	
<b>Background Investigation</b>	The investigation of criminal records, credit history, insurance licensing history, Office of Inspector General records, and General Service Administration excluded party records and other factors that UnitedHealthcare reviews regarding an agent applicant's history during the agent contracting and on-boarding process. Also known as background check.
<b>bConnected</b>	A software application designed to drive sales effectiveness in both the field and telesales environments. From within one integrated system, bConnected enables agents to efficiently create contact and opportunity records, qualify consumers, select plans, send fulfillment information, and schedule consumers for appointments and marketing/sales events. See <i>also Lead</i> .
<b>Book of Business</b>	The collection of leads, contacts, and/or members assigned to a particular agent.
<b>Brand</b>	A name that identifies and distinguishes a product and Company and any associated logos, service marks, images, etc. Brand elements are defined for each of the UnitedHealthcare Medicare brands, via a set of brand guidelines that address logos, legal marks and requirements, brand colors, typography, layout requirements and other topics in detail. Complete graphics usage guidelines may also be included.
<b>Business Reply Card - BRC</b>	A paper or electronic document returned by a consumer to the plan or agent as a response/request for more information or permission to be contacted by an agent.
<b>C</b>	

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<p><b>Call Monitoring</b></p>	<p>A quality assurance function used to evaluate inbound and outbound calls either side-by-side or remotely for the purposes of compliance and training (to identify areas of opportunity), while ensuring an agent’s or other plan representative’s accountability as a representative of the UnitedHealthcare Group brand is compliant as it pertains to CMS guidelines.</p>
<p><b>Captive Agent</b></p>	<p>An agent, who by virtue of employment or contract, must solicit and sell exclusively a UnitedHealthcare Medicare product or products. For example, all employee agents are captive to UnitedHealthcare Medicare and ICA agents are for Medicare Advantage products only.</p>
<p><b>Certified/Certification</b></p>	<p>The process required by CMS that all agents selling Medicare products are annually trained and tested on Medicare rules and regulations and company rules, policies and procedures specific to the company’s products the agent intends to sell.</p>
<p><b>The Centers for Medicare &amp; Medicaid Services (CMS)</b></p>	<p>The federal government agency that oversees the Medicare and Medicaid Programs by establishing regulations and guidance for health care providers, assessing quality of care in facilities and services, and ensuring that both programs are run properly by contractors and state agencies. CMS communicates guidance and regulatory requirements and provides oversight to Medicare Advantage Organizations and Prescription Drug Plans.</p>
<p><b>CMS Data Use Agreement</b></p>	<p>As part of the Medicare contracts UnitedHealthcare maintains with CMS, the company is required to attest annually that it will only use CMS data and their systems for the administration the Medicare managed care and/or outpatient prescription drug benefit programs.</p> <p>Anyone supporting or performing work on behalf of UnitedHealthcare Medicare programs and who has access to CMS systems is obligated to follow UnitedHealth Group privacy and security policies and practices such as not sharing passwords, using the minimum necessary information and systems access to complete our jobs, and ensure confidential data is protected and secure at all times.</p>
<p><b>Coaching Request</b></p>	<p>The documentation in PCL of all coaching interaction between the manager/supervisor or Agent Coaching &amp; Policy Specialist (ACPS) and an agent/agency. <i>See also Service Request.</i></p>
<p><b>Code of Conduct</b></p>	<p>The UnitedHealth Group Code of Conduct provides essential guidelines that help the organization achieve the highest standards of ethical and compliant behavior in its work every day.</p> <p>The Code of Conduct applies to all employees, directors, and contractors and represents a core element of the Company’s compliance program.</p>

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	<p>UnitedHealthcare and UnitedHealth Group hold themselves to the highest standards of personal and organizational integrity in its interactions with consumers, employees, contractors, and other stakeholders like CMS.</p> <ul style="list-style-type: none"> <li>• Act with Integrity: Recognize and address conflicts of interest.</li> <li>• Be Accountable: Hold yourself accountable for your decisions and actions. Remember, we are all responsible for Compliance.</li> <li>• Protect Privacy. Ensure Security: Fulfill the privacy and security obligations of your job. When accessing or using protected information, take care of it.</li> </ul>
<b>Cognitive Impairment/ Cognitive Ability</b>	The consumer's capacity to understand, assemble and reason based on the information provided including a decline in memory and thinking skills.
<b>Coinsurance</b>	An amount member may be required to pay as their share of the cost for services or prescription drugs. Coinsurance is usually a percentage (for example, 20%). Coinsurance for in-network services is based upon contractually negotiated rates (when available for the specific covered service to which the coinsurance applies) or Medicare Allowable Cost, depending on the contractual arrangements for the service.
<b>Cold Calling</b>	The act of cold calling, including, but not limited to, telephone calls, emailing, text messaging and leaving voice mail, are all prohibited. CMS has specific regulations in relation to marketing through unsolicited contacts. Agents may not engage in any direct unsolicited contact with consumers, including consumers who are aging-in. <i>(See also Unsolicited Contact and Door-to-Door Solicitation)</i>
<b>Commission</b>	<i>Refer to Compensation.</i>
<b>Community Rating</b>	All members in the same rating class pay the same rate within a given territory and without medical underwriting (excludes discounts and surcharges). <i>See also Issue Age Rating and Attained Age Rating.</i>
<b>Compensation</b>	CMS defines compensation as monetary or non-monetary remuneration of any kind relating to the sale or renewal of a policy including, but not limited to, commissions, bonuses, gifts, prizes, awards, and referral/finder's fees. Compensation does not include the payment of fees to comply with state appointment laws; costs related to training, certification, and testing requirements; reimbursement for mileage to and from appointments with consumers; and reimbursement for actual costs associated with sales appointments such as venue rent, snacks, and materials.
<b>Compensation Recovery (Charge-backs)</b>	<p>Compensation Recovery (Charge Backs)</p> <p>Plan sponsors must recover compensation payments from agents under two circumstances:</p> <ol style="list-style-type: none"> <li>1. The member disenrolls from the plan within the first three months of enrollment (rapid disenrollment), and</li> </ol> <p>Any other time a member is not enrolled in a plan but the plan sponsor had been paid compensation for that time period.</p>

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<b>Complaint</b>	A grievance received from a consumer or member, or any person or organization acting on a consumer or member's behalf, including written grievances from any Department of Insurance or other regulatory or governmental agency.
<b>Complaint Education Contact (CEC)</b>	A process to address agent behavior to prevent repeat complaint infractions through training and coaching.
<b>Compliance Investigations Unit (CIU)</b>	A unit within UnitedHealthcare Government Programs responsible for the investigation of complaints regarding agents selling UnitedHealthcare Medicare products. Complaints referred to the CIU are severe allegations of misconduct or repeated complaints of lower severity.
<b>Conflict of Interest</b>	A situation in which an individual's personal, financial, social, or political interests or activities, or those of their immediate family, could affect or appear to affect their decision making on behalf of UnitedHealthcare or where their objectivity could be questioned because of these interests or activities.
<b>Consumer</b>	The customer, Medicare beneficiary, lead, or prospect for all products who is not currently enrolled in particular a UnitedHealthcare Medicare plan.
<b>Copayment</b>	An amount the member may be required to pay as their share of the cost for a medical service or supply, like a physician's visit or a prescription. A copayment is usually a set or fixed amount, rather than a percentage.
<b>Corrective Action Plan (CAP)</b>	When it is determined that an organization or business area is not complying with Medicare program requirements, the organization or business area is directed by CMS or the internal stakeholders to take all actions necessary to correct the behavior, issue or process that was identified as noncompliant with Medicare program requirements. A step-by-step plan of corrective action is developed to achieve targeted outcomes for resolution of the identified issues.
<b>Corrective Action Referral (CAR)</b>	A process that supports the progressive disciplinary process and is a measure to address egregious agent behavior with retraining efforts delivered in a timely manner.
<b>Cost Sharing</b>	The amount a member pays for services or drugs received and includes any combination of a deductible, copayment or any coinsurance.
<b>Coverage Gap</b>	Most Medicare <i>prescription</i> drug plans have a coverage gap. This means that after the member and plan have spent a certain amount of money for covered drugs, the member has to pay all costs out-of-pocket for their drugs up to a limit. The member's yearly deductible, coinsurance or copayments, and what they pay in the coverage gap all count toward this out-of-pocket limit. The limit does not include the drug plan's premium. There are plans that offer some coverage in the gap. However, plans with coverage in the gap may charge a higher monthly premium.
<b>Credentialing</b>	Process of contracting, appointment, certification, and approval for an agent to sell any UnitedHealthcare Medicare products.
<b>Cross-Selling</b>	CMS regulations and guidelines prohibit marketing non-health related products (e.g., annuities, life insurance, and disability) to consumers

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	during any Medicare Advantage or Medicare Part D sales activity or presentation. This activity is <u>prohibited</u> .
<b>D</b>	
<b>Deductible</b>	The amount a member must pay for health care services or prescriptions, before Original Medicare, their prescription drug plan, or other insurance coverage begins to pay.
<b>Disciplinary Action Committee (DAC)</b>	Committee responsible for determining appropriate disciplinary and/or correction action up to and including agent termination.
<b>Distribution Channel (Sales)</b>	Categories of individuals or organizations that market and sell the Company's products. UnitedHealthcare Medicare utilizes four distribution channels: Telesales, Internal Sales Representative (ISR), Independent Career Agent (ICA), and External Distribution Channel (EDC).
<b>Door-to-Door Solicitation</b>	<p>The practice of <i>Unsolicited Direct Contact</i> for the purposes of marketing/selling any product in the UnitedHealthcare Medicare portfolio and is strictly prohibited. The consumer must first initiate or solicit contact. These guidelines apply to contact made in person, contact made by telephone, and contact made by e-mail.</p> <p>In-home and personal/individual marketing appointments <i>are allowed</i> if the following conditions are met:</p> <ul style="list-style-type: none"> <li>• The consumer initiated and scheduled an appointment prior to the visit</li> <li>• A documented Scope of Appointment (SOA) has been recorded or completed as well as signed by the consumer prior to the visit.</li> </ul> <p>Direct, unsolicited, in-person contact with a consumer. May include actual door-to-door solicitation or unauthorized in-person contact with a consumer in any public place, e.g. parking lot, senior center, etc. <i>See also Cold-Calling and Unsolicited Contact.</i></p>
<b>Down-Line</b>	A term used to describe agents within an NMA hierarchy that are below the management/reporting level of a specific entity/agency.
<b>Dual-eligible</b>	<p>Consumers and/or members receiving benefits from both Medicare and Medicaid. With the assistance of Medicaid, some Dual-eligibles do not have to pay for certain Medicare costs. The Medicaid benefit categories and type of assistance are listed below:</p> <ul style="list-style-type: none"> <li>• Full Benefit Dual Eligible (FBDE) <i>Full Dual</i>: Full-benefit dual eligibles have no cost sharing in Medicare Part A or Part B. Medicaid pays for their Medicare Part A hospital deductible, Medicare Part A coinsurance, Medicare Part B monthly premium, and Medicare Part B deductible and 20 percent co-payments. For Part D, full-benefit dual eligibles are exempt from any monthly premium, annual deductible, costs under the doughnut hole, and only nominal co-payments on drugs if they live at home.</li> <li>• Qualified Disabled and Working Individual (QDWI): Payment of the consumer's Medicare Part A premiums.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Qualifying Individual (QI): Payment of the consumer's Medicare Part B premiums.</li> <li>• Specified Low Income Medicare Beneficiary (SLMB-Only) <i>Partial Dual</i>: Payment of the consumer's Medicare Part B premiums.</li> <li>• SLMB-Plus <i>Full Dual</i>: Payment of the consumer's Medicare Part B premiums and full Medicaid benefits.</li> <li>• Qualified Medicare Beneficiary (QMB Only) <i>Partial Dual</i>: Payment of the consumer's Medicare premiums, deductibles and cost-sharing (excluding Part D).</li> <li>• QMB-Plus <i>Full Dual</i>: Payment of the consumer's Medicare premiums, deductibles, cost-sharing (excluding Part D) and full Medicaid benefits.</li> </ul> <p><i>Note: Low Income Subsidy may be available to help with Part D premium costs.</i></p> <p><i>FBDE, QMBs, SLMBs, and Qis are deemed eligible in the LIS program to cover Part D premium costs and will not have Part D premium expenses. All others must file an application for the subsidy.</i></p>
<b>E</b>	
<b>eAlliance</b>	A UnitedHealthcare approved agency/organization operating a telephonic enrollment call center and/or electronic enrollment capability in the External Distribution Channel (EDC)
<b>Educational Event</b>	An event designed to inform Medicare consumers about MA, Prescription Drug or other Medicare programs but do not steer, or attempt to steer consumers toward a specific plan or limited number of plans. Educational events may not include any sales or marketing activities such as the distribution of marketing materials or the distribution or collection of enrollment applications. When advertised, educational events must be advertised as educational; otherwise they are considered marketing/sales events. Educational events are held in public venues, do not extend to personal/individual appointments, and cannot include lead-generation activities.
<b>Educational Information</b>	Communications free of plan specific information or marketing toward a specific plan.
<b>End Stage Renal Disease -ESRD</b>	Permanent kidney failure. The stage of renal impairment that appears irreversible and permanent, and requires a regular course of dialysis or kidney transplantation to maintain life.
<b>Enrollment Application</b>	Refers to the form used by consumers to request to enroll in a Medicare Advantage Plan, Prescription Drug Plan or Medicare Supplement Plan.
<b>Errors and Omissions (E&amp;O) Insurance</b>	Errors and Omissions insurance covers UnitedHealthcare contracted agents and solicitors in the event they misrepresent a plan and its benefits to a consumer.

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<b>Evidence of Coverage (EOC)</b>	Evidence of Coverage is the legal, detailed description of plan benefits. It explains what the Plan must do, member's rights and the rules they need to follow to get covered services and prescription drugs.
<b>Exception</b>	A type of coverage determination that, if approved, allows the member to get a drug that is not on the Plan sponsor's formulary (a formulary exception) or get a non-preferred drug at the preferred cost-sharing level (a tiering exception). The member may also request an exception if the Plan sponsor requires the member to try another drug before receiving the drug the member is requesting or the plan limits the quantity or dosage of the drug the member is requesting (a formulary exception).
<b>External Distribution Channel (EDC)</b>	One of four sales distribution channels that market and sell UnitedHealthcare Medicare products. The channel consists of contracted entities, including NMAs, agencies (FMO, MGA, GA), agents, and solicitors (not contracted with UnitedHealthcare, but through their up-line). EDC entities, agencies, agents, and solicitors are not employees of UnitedHealth Group and are not exclusive (captive) to UnitedHealthcare.
<b>F</b>	
<b>Federal Do not Call List (FDNC)</b>	A national registry for consumers to advise certain entities of their request to not be contacted via telephone. The Federal Trade Commission manages this national registration.
<b>Field Marketing Organization (FMO)</b>	An independent marketing organization that is licensed, appointed, and directly contracted with UnitedHealthcare Insurance Company to solicit and sell the UnitedHealthcare Medicare portfolio of products through its network of down-line contracted and appointed agents.
<b>Finder's Fee</b>	<i>See Referral/Finder's Fee.</i>
<b>For-Cause Termination</b>	A termination of an agent's contract and/or appointment that is the result of specified misconduct that violates the agreement.
<b>Formulary</b>	A list of prescription drugs covered by the plan. The list includes both brand-name and generic drugs. The formulary is often published to the web or in a written document. However, the document may only reference the preferred medications. (Often referred to as Preferred Drug List or PDL).
<b>G</b>	
<b>General Agent (GA)</b>	An independent contractor with a direct contract with UnitedHealthcare at the GA level. May refer agents and solicitors for certification and appointment to solicit and sell any of the UnitedHealthcare Medicare products.
<b>Geographic Area</b>	A specific region, state, county, or zip code.
<b>H</b>	
<b>Health Fair/Expo</b>	An informal educational or marketing/sales event.
<b>Health Insurance Claim Number</b>	Consumer's Medicare identification number.

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<b>(HICN)</b>	
<b>Health Maintenance Organization (HMO)</b>	A type of Medicare Advantage Plan in which members select a primary care physician (PCP) to help coordinate their care and go to providers in the Plan's contracted network, except in the event of an emergency or for renal dialysis. Members will need referrals from their PCP to see specialists in some plans.
<b>Hierarchy</b>	The structure of an NMA down-line that is defined as part of the NMA agent contracting process.
<b>HIPAA</b>	Health Insurance Portability and Accountability Act (HIPAA) of 1996. HIPAA is a federal law that provides requirements for the protection of health information as well as provisions to combat fraud, waste, and abuse.
<b>HIPAA Privacy Statement</b>	<p>A HIPAA Privacy Statement must always be included on a fax cover sheet when sending PHI/PII via fax machine or electronic/desktop fax.</p> <p>Sample HIPAA Privacy Statement:</p> <p><i>CONFIDENTIALITY NOTICE: Information accompanying this facsimile is considered to be UnitedHealthcare's confidential and/or proprietary business information. Consequently, this information may be used only by the person or entity to which it is addressed. Such recipient shall be liable for using and protecting UnitedHealthcare's information from further disclosure or misuse, consistent with applicable contract and/or law. The information you have received may contain protected health information (PHI) and must be handled according to applicable state and federal laws, including, but not limited to HIPAA. Individuals who misuse such information may be subject to both civil and criminal penalties. If you believe you received this information in error, please contact the sender immediately.</i></p>
<b>I</b>	
<b>Incentive</b>	<i>Refer to Compensation: ISR, sales management, Telesales.</i>
<b>Inconclusive Allegation</b>	Following review of the allegations against an agent, appropriate investigation, consideration of the evidence and pertinent circumstances, there is insufficient information to determine the truth or falsity of the allegation(s).
<b>Independent Career Agent (ICA)</b>	A non-employee agent licensed, appointed, and contracted with UnitedHealthcare Insurance Company to solicit and sell the UnitedHealthcare Medicare portfolio of products. The ICA contract provides that they are exclusive for UnitedHealthcare Medicare Advantage products.

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<b>Independent Marketing Organization (IMO)</b>	An agency model created to support field growth. IMO agencies are exclusive to UnitedHealthcare and the agents are captive to UnitedHealthcare.
<b>In-Home Appointment</b>	A personal/individual marketing appointment that takes place in a consumer's residence. Includes a nursing home/facility resident's room. Requires a Scope of Appointment form. <i>See also Out-of-Home Appointment and Personal/Individual Marketing Appointment.</i>
<b>Initial Coverage Election Period (ICEP)</b>	<p>A period during which an individual newly eligible for MA may make an initial enrollment request to enroll in an MA plan. This period begins three months immediately before the individual's first entitlement to both Medicare Part A and Medicare Part B and ends on the later of:</p> <ol style="list-style-type: none"> <li>1. The last day of the month preceding entitlement to both Medicare Part A and Medicare Part B, or;</li> <li>2. The last day of the consumer's Medicare Part B initial enrollment period.</li> </ol> <p>The initial enrollment period for Medicare Part B is the seven (7) month period that begins 3 months before the month an individual meets the eligibility requirements for Medicare Part B and ends 3 months after the month of eligibility.</p>
<b>Internal Sales Representative (ISR)</b>	A UnitedHealthcare employee who is appointed (if applicable) to solicit and sell UnitedHealthcare Medicare products in the field.
<b>J</b>	
<b>Jarvis</b>	The agent website that provides access to product, commission, and resource information. The agent's central point of communication and sales distribution resources.
<b>K</b>	
<b>Knowledge Central</b>	A portal that houses information, materials, and documents. It is the primary source of information, materials, and documents for Telesales agents.
<b>L</b>	
<b>Late Enrollment Penalty (LEP)</b>	An amount added to the plan premium when a consumer does not obtain creditable prescription drug coverage when first eligible for Medicare Part D or who had a break in creditable prescription drug coverage of at least 63 consecutive days. The LEP is considered a part of the plan premium.
<b>Lead</b>	A consumer who, by their actions, has demonstrated an interest in a UnitedHealthcare product (includes current members). Company-generated leads are documented and managed in bConnected.
<b>LEAN Office (formerly eModel Office)</b>	An electronic enrollment tool available to authorized External Distribution Channel (EDC) offices to convert paper enrollment applications submitted by their down-line agents to an electronic format for submission to UnitedHealthcare.
<b>Learning</b>	Online training and certification portal. UnitedHealthcare's LMS is Learning Lab (formerly LearnSource).

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<b>Management System (LMS)</b>	
<b>License</b>	A certificate giving proof of formal permission from a governmental authority to an agent to sell insurance products within a state.
<b>Logo</b>	A mark or symbol that identifies or represents a company, business, product, and/or brand.
<b>Low Income Subsidy (LIS)</b>	A Medicare program to help people with limited income and resources pay Medicare prescription drug program costs, such as premiums, deductibles, and coinsurance.
<b>M</b>	
<b>Marketing Materials</b>	Includes any informational materials that perform one or more of the following actions: promotes an organization, provides enrollment information for an organization, describes the rules that apply to enrollees in an organization, explains how Medicare and Medicaid (Fully Integrated Dual SNPs, MME product(s) as applicable) services are covered under an organization (including conditions that apply to such coverage), and/or communicates with the individual on the various membership operational policies, rules, and procedures.
<b>Marketing/Sales Events - Formal and Informal</b>	<p>Are defined both by the range of information provided and the way in which the content is presented. In addition, marketing/sales events are defined by the Plan's ability to collect Enrollment Applications and enroll Medicare consumers during the event. A marketing/sales event is designed to steer, or attempt to steer, consumers toward a plan or limited set of plans.</p> <ul style="list-style-type: none"> <li>• A formal marketing/sales event is structured in an audience/presenter style with sales personal or plan representative formally providing specific sponsor information via a presentation on the products being offered.</li> <li>• An informal marketing/sales event is conducted with a less structured presentation or in a less formal environment like a retail booth, kiosk, table, recreational vehicle, or food banks where an agent can discuss plan information when approached by a consumer.</li> </ul>
<b>Master General Agent (MGA)</b>	An independent contractor with a direct contract with UnitedHealthcare at the MGA level. May refer agents and solicitors for certification and appointment to solicit and sell any of the UnitedHealthcare products.
<b>Medicaid</b>	A program that pays for medical assistance for certain individuals and families with low incomes and resources. Medicaid is jointly funded by the federal and state governments to assist states in providing assistance to people who meet certain eligibility criteria. A Medicare Supplement Insurance policy cannot be sold to consumers who receive assistance from Medicaid unless assistance is limited to help with Medicare Part B premiums or Medicaid buys the Medicare Supplement Insurance policy for the consumer.

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<b>Medicare</b>	A federal government health insurance program for: <ul style="list-style-type: none"> <li>• People age 65 and older</li> <li>• People of all ages with certain disabilities</li> <li>• People of all ages with End-Stage Renal Disease (permanent kidney failure requiring dialysis or kidney transplant)</li> </ul>
<b>Medicare Advantage “Medical Only” Plan – MA Only</b>	A Medicare Advantage Plan with only medical coverage. It does not have an integrated Medicare Part D prescription medication benefit.
<b>Medicare Advantage Plans</b>	Health plans offered by private insurance companies that contract with the federal government to provide Medicare coverage. Medicare Advantage Plans may be available both with and without Medicare Part D Plans. Medicare Advantage Plans may also be referred to as Medicare Health Plans or Medicare Part C.
<b>Medicare Advantage Prescription Drug - MA-PD</b>	A Medicare Advantage Plan that integrates Medicare Part D prescription drug benefits with the medical coverage.
<b>Medicare Beneficiary</b>	One who receives Medicare. Referred to as “consumer” or “member” (see separate definitions) throughout this document. One who is entitled to Medicare Part A and eligible for Medicare Part B.
<b>Medicare-Medicaid Plan (MMP)</b>	A CMS and state run test demonstration program where individuals receive both Medicare Parts A and B and full Medicaid benefits and are, generally, passively enrolled into the state’s coordinated care plan with the ability to opt-out and choose other Medicare options. MMPs are designed to manage and coordinate both Medicare and Medicaid and include Part D prescription and drug coverage through one single health plan. MMP demonstrations and eligible populations vary by state.
<b>Medicare Part A</b>	The part of Medicare that provides help with the cost of hospital stays, skilled nursing services following a hospital stay, and some other kinds of skilled care.
<b>Medicare Part B</b>	The part of Medicare that provides help with the cost of physician visits and other medical services.
<b>Medicare Part C</b>	Medicare Part C Plans are referred to as Medicare Advantage Plans. <ul style="list-style-type: none"> <li>• Include both Medicare Part A (Hospital Insurance) and Medicare Part B (Medical Insurance)</li> <li>• Private insurance companies approved by Medicare provide this coverage</li> <li>• In most plans, members need to use plan physicians, hospitals and other providers or they will likely pay more</li> <li>• Members may pay a monthly premium (in addition to their Medicare Part B premium) and a copayment for covered services</li> <li>• Costs, extra coverage and rules vary by plan</li> </ul>
<b>Medicare Part D</b>	Known as Medicare Prescription Drug Plans. The part of Medicare that provides coverage for outpatient prescription medications. These plans are offered by insurance companies and other private companies approved by Medicare. Consumers can get Medicare Part D coverage as

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	part of a Medicare Advantage Plan (if offered where a consumer lives), or as a stand-alone Prescription Drug Plan.
<b>Private Fee-for-Service Plan – PFFS</b>	A type of MA Plan that allows members to go to any Medicare eligible provider who agrees to accept the PFFS Plan's terms and conditions of payment rates. PFFS Plans may or may not use networks to provide care, depending on whether the PFFS plan is a network or non-network plan. Note: UnitedHealthcare currently only offers non-network PFFS plans.
<b>Medicare Supplement Insurance</b>	Medicare Supplement insurance sold by private insurance companies to fill “gaps” (deductibles, coinsurance and copayments) in Original Medicare. A Medicare Supplement insurance policy cannot be sold to a Medicare Advantage plan member unless the member is switching to Original Medicare. A Medicare Supplement policy can and is sold to members in Medicare Part D (not MA-PD) Plans. Also referred to as “Medigap”.
<b>Member</b>	The enrollee, Medicare beneficiary, or customer who is currently enrolled in a UnitedHealthcare Medicare Advantage Plan, Prescription Drug Plan, and/or Medicare Supplement plan.
<b>Member-Only Educational Event</b>	An educational event designed to engage new and existing members to promote the understanding and use of their plan benefits, provide an opportunity to strengthen the value of UnitedHealthcare, and/or support member retention. No enrollment or marketing/sales activities are permitted.
<b>Minimum Data Set (MDS)</b>	A form that the nursing home is required to complete and submit to Medicare for each resident upon admission, on a quarterly basis or with significant changes. The MDS contains a significant amount of demographic and medication assessment information.
<b>Monthly Plan Premium</b>	The fee a member pays if enrolled in a Medicare Advantage Plan (like HMO or PPO), in addition to the Medicare Part B premium for covered services, if applicable.
<b>N</b>	
<b>National Marketing Alliance (NMA)</b>	An independent marketing organization that is licensed, appointed, and directly contracted with UnitedHealthcare Insurance Company to solicit and sell the UnitedHealthcare Medicare portfolio of products through its network of down-line licensed, certified, and appointed agents. The NMA is the top level in its hierarchy structure.
<b>Network</b>	Group of physicians, hospitals, and pharmacies who have contracts with a health insurance plan to provide care/services to the plan’s members. The Medicare Part D prescription drug plan’s network of pharmacies may help members save money on medications.
<b>New Agent</b>	An agent who has never contracted with UnitedHealthcare or an agent who has not written business for any six-month period under their current name or other alias.
<b>National Insurance</b>	NIPR developed and implemented the Producer Database (PDB), which

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<b>Producer Registry (NIPR)</b>	provides: financial/time savings, reduction in paperwork, real time information, verification of license and status in all participating states, ease of access via the internet, and single source of data versus multiple web sites.
<b>Nominal Value</b>	Items or services worth \$15 or less based on the retail purchase price.
<b>Non-Captive Agent</b>	A licensed, certified, and appointed, non-exclusive independent contractor who solicits and sells any UnitedHealthcare Medicare product. For example, a UnitedHealthcare EDC agent.
<b>Non-Complaint</b>	A member's withdrawal or nullification (verbal or in writing) of an allegation against an agent or broker. Also includes circumstances where, upon review, a complaint fails to state an allegation of agent or broker misconduct.
<b>Non-Licensed Representative</b>	A non-licensed individual, who represents UnitedHealthcare in triaging inbound Telesales calls or taking telephonic enrollments and other related activities, but who is prohibited from performing solicitation or selling activities. In addition to taking telephonic enrollments, the representative can set appointments, process sales event RSVPs, and provide basic benefits statements per CMS regulations.
<b>Non-Resident License</b>	An agent who is licensed and appointed (if applicable) to sell in a state outside of the state where that agent holds their primary residency.
<b>Not-For-Cause Termination</b>	A type of termination of an agent's contract and/or appointment for reasons other than breach of the for-cause provision of the agent agreement.
<b>O</b>	
<b>Original Medicare</b>	<p>One of the consumer's health coverage choices when they become eligible for Medicare.</p> <ul style="list-style-type: none"> <li>• Medicare Part A (Hospital Insurance) and Medicare Part B (Medical Insurance).</li> <li>• Medicare provides this coverage.</li> <li>• Consumers have a choice of physicians, hospitals and other providers that accept Medicare.</li> <li>• Generally, consumers pay deductibles and coinsurance.</li> <li>• Consumers usually pay a monthly premium for Medicare Part B.</li> </ul>
<b>Outbound Enrollment and Verification (OEV)</b>	Outbound letter sent by the plan to consumers who recently enrolled in a Medicare Advantage plan to ensure consumers requested enrollment into a plan by agents/brokers and they understand the plan benefits, costs, and plan rules.
<b>Out-of-Network Provider</b>	A provider or facility with which UnitedHealthcare does not have a contract; therefore, there is no agreement for the non-participating provider to arrange, coordinate, or provide covered services to members of the UnitedHealthcare. These providers are considered out-of-network and are not under contract to deliver covered services to members of UnitedHealthcare.

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P	
<b>Party ID</b>	A number assigned by ALM that provides primary identification of an individual. All writing numbers assigned to the individual are tied to their Party ID.
<b>Permission to Call (PTC)</b>	Permission given by a consumer to be called or otherwise contacted. It is to be considered limited in scope, short-term, event-specific, and may not be treated as open-ended permission for future contacts. Does not apply to postal mail.
<b>Pended Commission</b>	A commission for the sale of a policy that cannot be paid as a result of one or more impedance.
<b>Personally Identifiable Information (PII)</b>	PII is a person's first name or first initial and last name in combination with one or more of the following: <ul style="list-style-type: none"> <li>• Social Security Number</li> <li>• Driver's License Number or State Identification Card Number</li> <li>• Credit card number or debit card number</li> <li>• Unique biometric data (e.g., fingerprint, retina, or iris image)</li> <li>• Tax information</li> <li>• Account Number in combination with any required security code, access code or password that would permit access to an individual's financial account.</li> </ul>
<b>Personal/Individual Marketing Appointment</b>	A scheduled face-to-face marketing presentation that typically occurs in a consumer's residence, but may also be conducted in a coffee shop, library, or other public setting. Includes a nursing home/facility resident's room. Requires a Scope of Appointment form. Also called in-home appointment.
<b>Plan Benefit Package - PBP</b>	The package of benefits to be offered in a specific geographic area by a sponsor under an MA plan, MA-PD plan, PDP, section 1876 cost plan, or employer group waiver plan, filed annually with CMS for approval.
<b>Pledge of Compliance</b>	A document signed (electronically) annually by agents pledging compliance with the CMS guidelines and regulations and UnitedHealthcare rules, policies, and procedures.
<b>Point-of-Service - POS</b>	A type of HMO plan that also gives members the option to use providers outside the plan's contracted network for certain benefits, generally at a higher cost. The benefits that are covered out-of-network vary by plan.
<b>Policy Center</b>	An internal website that contains a comprehensive inventory of UnitedHealth Group policies and procedures accessible to UnitedHealth Group employees.
<b>Portfolio Certified</b>	To be certified in Medicare Advantage plans, Prescription Drug Plans, Chronic and Dual Special Needs plan, and AARP Medicare Supplement Insurance plans.
<b>Preferred Provider Organization - PPO</b>	A type of MA Plan in which the member can use either network providers or non-network providers to receive services (going outside the provider network generally costs more). The plan does not require member's to have a referral for specialist care.
<b>Premium</b>	The amount paid by a member to participate in a plan or program.

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	Includes LEP, LIS reductions, Employer Subsidy reductions, and rider premiums.
<b>Prescription Drug Plan -PDP</b>	A stand-alone plan that offers Medicare Part D prescription medication coverage only.
<b>Primary Care Physician -PCP</b>	A physician seen first for most health problems. The PCP may also coordinate a member's care with other physicians and health care providers. In some Medicare Advantage Plans, members must see their PCP before seeing any other health care provider.
<b>Prior Authorization - PA</b>	A type of utilization management program that requires that before the plan will cover certain services/prescriptions, a member and/or their physician must contact the plan. A member's physician may need to show that the service/medication is medically necessary for it to be covered.
<b>Producer</b>	A global term introduced in 2007 to refer to any licensed, certified, and appointed individual soliciting and selling UnitedHealthcare Products, including, but not limited to NMA, FMO, MGA, GA, ICA, ISR, Broker, Solicitor or Telesales representative.
<b>Producer Contact Log (PCL)</b>  <i>formerly Service Gold</i>	A contact management system used to document agent/agency interactions with the PHD and/or sales managers/supervisors or Agent Coaching & Policy Specialist (ACPS).
<b>Producer Help Desk (PHD)</b>	A UnitedHealthcare call center whose purpose is to provide support to all agents with issues that pertain to the agent experience.
<b>Protected Health Information (PHI)</b>	PHI is individually identifiable information (including demographics) that relates to health condition, the provision of care, or payment of such care.
<b>Provider</b>	Any individual who is engaged in the delivery of health care services in a state and is licensed or certified by the State to engage in that activity, and any entity that is engaged in the delivery of health care services in a state and is licensed or certified to deliver those services if such licensing or certification is required by state law or regulation.
<b>Q</b>	
<b>Quality Call Monitoring</b>	A monitoring program evaluating telephonic enrollment conversations between a Telesales agent and the consumer to ensure compliance with CMS guidelines.
<b>Quantity Limits - QL</b>	A management tool designed to limit the use of selected medications for quality, safety, or utilization reasons. Limits may be on the amount of the medication that the plan covers per prescription or for a defined period of time.
<b>R</b>	
<b>Rapid Disenrollment</b>	A voluntary disenrollment by a member within three months of the plan

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	effective date. Rapid disenrollment is a key metric that agents are measured on; a high volume may indicate problems with the sales process.
<b>Ready to Sell</b>	An agent has met the certification requirements for their channel in order to market/sell for the plan year.
<b>Referral – Medical</b>	A formal recommendation by the member’s contracting PCP or his/her contracting medical group to receive health care from a specialist, contracting medical provider, or non-contracting medical provider.
<b>Referral – Sales</b>	A consumer who contacts an agent directly upon the recommendation of an existing client, consumer, member, or other third party. In all cases, a referred individual needs to contact the plan or agent/broker directly.
<b>Referral/Finder’s Fee</b>	UnitedHealthcare does not pay employee or non-employee agents referral/finder’s fees for the recommendation of a Medicare consumer into a UnitedHealthcare plan that meets the Medicare consumer’s healthcare needs. However, CMS guidelines prohibit the payment of a referral/finder’s fee to an agent in excess of \$100 per referral or enrollment in a MA/MA-PD plan or in excess of \$25 per referral or enrollment in a stand-alone PDP. The referral/finder’s fee must be included as part of total compensation and must not exceed the fair market value for that contract year.
<b>Region</b>	Certain plan types such as PDP and Regional PPO MA plans are offered by regions. CMS created regions based on population size so that plans within a region are able to enroll and provide appropriate service to members. A region may consist of an entire state, several states, or several counties within a state. The service area of a PDP region may vary from a Regional PPO.
<b>Renewal Compensation</b>	For EDC and ICA agents, renewal compensation is paid in any amount up to fifty (50) percent of the current FMV, published by CMS annually. Renewal compensation is paid in the member’s second and subsequent enrollment years.
<b>Renewal Eligible Agent</b>	A non-employee agent who is eligible to receive renewal commissions on a sale of a Medicare Advantage or Prescription Drug Plan enrollment. For enrollments effective on or after 01-01-2014, the agent must be contracted, licensed, appointed, and certified as an active or servicing agent in order to receive renewal commissions on the enrollment.
<b>Resident License</b>	An agent who is licensed and appointed (if applicable) to sell in their state of residence.
<b>S</b>	
<b>Sales Distribution</b>	An organization comprised of various distribution channels that market and sell UnitedHealthcare Medicare portfolio of products.
<b>Sales Incentive Plan</b>	Employed agents are paid an incentive when specific sales goals have been met. In order to be paid an incentive, the agent must meet all conditions set forth within their Sales Incentive Plan (SIP) in effect at the time. Employed agents should refer to their SIP for details.
<b>Sales Leadership</b>	A global term used to describe the sales management hierarchy. Includes

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	both field sales and telesales.
<b>Sales Management</b>	Individual or delegate within UnitedHealthcare Medicare who is responsible for the management of a sales agent, agency, channel, or geography.
<b>Scope of Appointment (SOA)</b>	The agreement obtained from the consumer to the scope of products that can be discussed at a personal/individual marketing appointment.
<b>Service Area</b>	The geographic area approved by CMS within which an eligible consumer may enroll in a certain plan.
<b>Service Request</b>	The documentation in PCL of all inbound and outbound contacts between the PHD and an agent. <i>See also Coaching Request.</i>
<b>Servicing Status Agent</b>	An inactive, non-employee agent who has signed a servicing agent agreement in order to receive renewal commissions on Medicare Advantage and Prescription Drug Plan enrollments effective on or after 01-01-2014. The agent must maintain an active resident license and appointment and pass Medicare Basics and Ethics and Compliance certification modules on an annual basis.
<b>SMRT Agent Onboarding formerly A360 Daily Onboarding</b>	A tool that resides on the QlikView portal that provides licensing, appointment, and certification status information on agents and sales management.
<b>SMRT Compliance formerly A360 Compliance</b>	A tool that resides on the QlikView portal that provides a holistic view of each agent, NMA, or manager. The compliance programs reporting tool is refreshed daily and manager threshold evaluation data is refreshed monthly
<b>Skilled Nursing Facility (SNF)</b>	Skilled Nursing Facility.
<b>Solicitor</b>	A licensed, certified, and appointed agent who sells designated UnitedHealthcare Medicare products through a contract with an agency (NMA, FMO, MGA and GA), but does not have a direct contract with UnitedHealth Group.
<b>Special Election Period -SEP</b>	A period when a Medicare consumer may sign up or make changes to their Medicare coverage outside of their initial enrollment period or the Annual Election Period under specified circumstances defined by Medicare.
<b>Special Needs Plans (SNP)</b>	A type of MA plan that provides health care for specific groups of people, such as those who have both Medicare and Medicaid (Dual SNP), those who reside in a nursing home (Institutional SNP), those who have certain chronic medical conditions (Chronic Condition SNP), or those who reside in the community but who qualify to live in a nursing facility (Institutional Equivalent SNP).
<b>Star Ratings</b>	Medicare has a 5-Star rating system to measure how well plan sponsors perform in different categories. These ratings help consumers compare

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<b>Program</b>	<p>plans based on quality and performance. Detecting and preventing illness, ratings from patients, patient safety and customer services are examples of categories measured. CMS utilizes one to five stars to determine a Plan's performance in a particular category; one star denotes poor quality and five stars represent excellent quality.</p> <p>Plan performance summary ratings are issued in October of the previous Plan contract year. Consumers and members may compare Plan rating information by making a request, visiting <a href="http://www.medicare.gov">www.medicare.gov</a>, or checking Plan websites.</p>
<b>Step Therapy - ST</b>	A utilization tool that requires a member to try first another medication to treat their medical condition before the Medicare Part D Plan will cover the medication their physician may have initially prescribed.
<b>Substantiated Allegation</b>	Following review of the allegations against an agent, appropriate investigation, consideration of the evidence and pertinent circumstances, there is sufficient information to conclude that the allegations are true.
<b>Successor Agent</b>	The active agent who becomes the Agent of Record (AOR) for the original agent's book of business.
<b>Suspension</b>	Temporary removal of an agent's ability to market and sell products. Suspension is based upon the severity of the allegation(s), the number of pending complaint(s) or investigations, the nature and credibility of information initially provided, and/or the number of members or consumers affected.
<b>T</b>	
<b>Telemarketing</b>	A firm or individual employed by a firm who telephonically contacts consumers on behalf of UnitedHealthcare for the purpose of soliciting or selling designated UnitedHealthcare Medicare products. Telemarketing activities may include lead generation, appointment setting, and/or product marketing.
<b>Telesales Agent</b>	A licensed, certified, and appointed agent who telephonically solicits and sells designated UnitedHealthcare Medicare products in a call center environment. May be an employee of UnitedHealthcare or an employee of a delegated vendor.
<b>Tier</b>	Covered brand name and generic medications have various levels of associated member cost-sharing.
<b>Trademark</b>	A word, phrase, or symbol that signifies or identifies the source of the good or service and describes the level of quality that can be expected from a particular good or service.
<b>Trend</b>	At an individual agent level, a trend or "look-back" is defined as number of inconclusive complaints in the same category on a 12-month rolling basis while under an active contract with UnitedHealthcare or NMA. Corrective action and active management/oversight of complaints will occur on a concurrent basis to include enrollee/member counseling and

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	outreach, agent, or NMA re-training and certification or possible suspension or termination.
<b>Trend (for Telephonic Quality Monitors)</b>	A pattern or percentage change in errors for a particular geography, channel, state, and/or product within a 12-month rolling basis. If a trend is identified, the appropriate Business Unit will be notified, a review for root cause will be conducted and if necessary, the appropriate corrective actions will be carried out in accordance with policies and procedures. Such corrective actions may include, but are not limited to revision of training, coaching and counseling of agent, manager, or entity, and termination of agent or entity.
<b>True Out-of-Pocket Expense (TrOOP)</b>	An accumulation of payments – monies spent – by the member of a plan. This will include copayments and deductibles, but does not include premium payments or any payments made by the plan.
<b>TTY</b>	A teletypewriter (TTY) is a communication device used by members and consumers who are deaf, hard-of-hearing, or have severe speech impairment. Members and consumers who do not have a TTY can communicate with a TTY user through a Message Relay Center (MRC). An MRC has TTY operators available to send and interpret TTY messages.
<b>U</b>	
<b>UnitedHealthcare Government Programs formerly Public and Senior Markets Group of UnitedHealth Group (PSMG)</b>	A term used internally within the Company to collectively refer to the benefit businesses of UnitedHealthcare Medicare & Retirement, UnitedHealthcare Community & State, and UnitedHealthcare Military & Veterans.
<b>UHIC</b>	UnitedHealthcare Insurance Company
<b>Unlicensed Representative</b>	<i>See Non-Licensed Representative.</i>
<b>Unsolicited Contact</b>	Solicitation of a consumer for the purpose of marketing any UnitedHealthcare Medicare product via door-to-door, telephone, email, voice and text message without the prior explicit permission from the consumer. <i>See also Cold Calling.</i>
<b>Unsubstantiated Allegation</b>	Following review of the allegations against an agent, appropriate investigation, and consideration of the evidence and pertinent circumstances, there is sufficient information to support the conclusion that the allegations are unfounded.
<b>Unsuccessful Event</b>	A marketing/sales event that could not be evaluated by a CMS secret shopper or UnitedHealthcare vendor evaluator because the agent did not show up for a reported event, the incorrect event type was reported, the agent arrived late and after the evaluator/shopper arrived, the reported

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	and actual addresses of the event are not the same, the event could not be located due to inadequate signage, the time of the event was changed, or the event was cancelled but not reported.
<b>Up-Line</b>	The contracted entities within an NMA hierarchy that are above the management/reporting level of a specific agent/agency.
<b>V</b>	
<b>Vendor</b>	An entity whose purpose is to perform activities as specified by UnitedHealth Group under mutual agreement.
<b>W</b>	
<b>Writing Number</b>	A UnitedHealthcare generated number, assigned to a contracted, licensed, and appointed agent used for submitting business, to track commissions, and other agent-specific sales statistics. <i>Also known as Writing ID. See Agent ID.</i>

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