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|  | | | <h1>Policy</h1> | | |
| Manual Section: Corporate Policy and Procedures, Operations, Member Operations | | | Policy Name: Sales and Marketing Campaign Event Reporting | | |
| Policy Number: C6MMO-046 | | | Issue Date: 9/11/09 | | Page: 1 of 13 |
| Prior Policy Number(s): C26NS-046 | | | Related Procedure(s): | | |
| Applicable to: | | | (Check One) | | |
| <input checked="" type="checkbox"/> | Operations | <i>Area</i> | New <small>(Date policy was created)</small> | <input type="checkbox"/> | |
| <input type="checkbox"/> | | | Reviewed <small>(No changes to policy)</small> | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | Member Operations | <i>Department</i> | Revised <small>(Content changes made to policy)</small> | <input checked="" type="checkbox"/> | 09/27/16 |
| <input type="checkbox"/> | | <i>All Associates</i> | Repealed <small>(Policy is no longer active)</small> | <input type="checkbox"/> | |
| | Medicare: CA, CT, FL, GA, HI, IL, KY, LA, MS, NJ, NY, AR, SC, TN, TX | <i>Lines of Business and Applicable State(s)</i> | State Agency Approval Date <small>(Attach supporting evidence)</small> | N/A <small>(State Abbreviation)</small> | N/A <small>(Date)</small> |
| <input checked="" type="checkbox"/> | Other: PDP | | Electronic Approvals are located in C360 | | |

Authority/Purpose:

In adopting this policy on Sales and Marketing Event Reporting (“Policy”) WellCare Health Plans, Inc. (“WellCare” or the “Company”) seeks to ensure that it is in compliance with applicable federal and state laws, regulations, and guidance on reporting statistics and other information, including but not limited to 42 C.F.R. 422.2268, 423.2268, 422.504(f)(2), 423.505(f)(2) and the Medicare Improvements for Patients and Providers Act of 2008 (“MIPPA”).

Definitions:

- **Producer:** 1099 sales representatives (e.g., independently contracted agents, vendors / phone agents, and hierarchies)
- **Benefit Consultants:** W2 sales representatives
- **W2 Sales Support Staff:** Sales Associates, Marketing Outreach Specialists, Sales Managers, Sales Directors, and all non-producers involved in the marketing of WellCare’s Medicare products.
- **Active Certified:** Producer or Benefit Consultant status that reflects WellCare’s annual training requirements have been completed, and licensure is active in the state(s) desired to market/sell WellCare.
- **SalesForce.com (SFDC):** WellCare’s Lead and Event Management system.
- **Event:** Pursuant to CMS guidelines, marketing/sales events are defined by both the range of information provided and the way in which content is presented to the Medicare beneficiary. Additionally, marketing/sales events are defined by the plan’s ability to market and enroll Medicare beneficiaries during the event. There are three main types of marketing/sales events – formal,

informal, and educational. All marketing/sales events are open to the general public and to all Medicare beneficiaries.

- **Appointment Verification Line (AVL):** A recorded call to capture SOA and consent for future content when provided by the beneficiary.

Event Type Definitions:

- **Formal Marketing/Sales Events** are typically structured in an audience/presenter style with a sales person or plan representative formally providing specific plan sponsor information via a presentation on the products being offered. In this setting, the presenter usually presents to an audience that was previously invited to attend. The audience can be comprised of current members and prospective members, as well those attending on behalf of a Medicare beneficiary. Information may be handed out, including enrollment applications. Agents may accept enrollment applications after transitioning to a 1:1 appointment and completing a Scope of Appointment via the AVL.
- **Informal Marketing/Sales Events** depend less on a structured presentation to an audience. Instead, they typically utilize a table or kiosk manned by a plan sponsor sales person who can discuss the merits of the plan's products when approached by a Medicare beneficiary or someone on a Medicare beneficiary's behalf.
- **Educational Events** are typically general health events that are sponsored by the plan or by outside entities and are senior- focused, intended to be educational in nature, to provide objective information about the Medicare program and do not steer a beneficiary toward a plan. There are no plan specific or benefit related information, lead generations or distribution of marketing materials presented at these events.

Policy Statement:

1. Formal marketing/sales events are entered/approved in SFDC and then reported to CMS.
2. Informal marketing/sales events are entered/approved in SFDC and then reported to CMS.
3. Educational events are entered/approved in SFDC and then reported to CMS.

Event Participation

1. Producers and Benefit Consultants are allowed to host their own marketing/sales events regarding WellCare's plans. WellCare must approve all scheduled events prior to allowing an agent to host the event.
2. All Producers, Benefit Consultants and W2 Sales Support Staff must be Active Certified with WellCare prior to scheduling or hosting any WellCare event. Additionally, all Producers, Benefit Consultants and W2 Sales Support Staff are supplied with the following tools summarizing permissible activities related to event marketing:
 - a. Event Definition Tool (Attachment A)– Defines permissible activities in relation to hosting events
 - b. Provider Based Marketing Tool (Attachment B) – Defines permissible activities in relation to hosting events and/or marketing at a provider location
 - c. Site Based Marketing Tool(Attachment C) – Defines the sites where marketing activities can take place

Event Reporting & Update Timeframes

1. Pursuant to CMS directives set forth in Chapter 3 Medicare Marketing Guidelines WellCare will ensure CMS systems have full, accurate, and complete information for all Marketing/Sales Events

hosted by WellCare including event cancellations within CMS specified timeframes.

2. Pursuant to CMS directives, WellCare will compile listings of planned Medicare marketing and sales events for all lines of business, i.e. PDP, CCP, and will provide CMS with that information in the format requested and within CMS required timeframes.

Attachment(s):

- Attachment A: WellCare Marketing Regulations: Event Definition Tool v20160718
- Attachment B: WellCare Marketing Regulations: Provider Based Marketing Tool v20160718
- Attachment C: WellCare Marketing Regulations: Site-Based Marketing Tool v20160718

Attachment A: WellCare Event Definition Tool

| Event Planning | | | |
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| Definitions/Permissible Activities | Educational Events | Formal Sales Events | Informal Sales Events |
| Definition | <ul style="list-style-type: none"> Event designed to <u>inform</u> Medicare beneficiaries about Medicare Advantage, Prescription Drug or other Medicare programs and does NOT include sales and/or marketing. Event usually sponsored by outside entity and advertised as “educational.” Event intended to be informational/ educational in nature. You must NOT steer or attempt to steer potential members towards a plan. | <ul style="list-style-type: none"> Event sponsored and conducted by a plan with the purpose of “marketing to, and steering, or attempting to steer, potential members towards a specific or limited number of plans”. Includes a formal, structured sales presentation planned or given to a group. Ability to set 1:1 appointments for individual needs assessment after the event has taken place. Scope of appointment must be obtained prior to a 1:1 appointment. | <ul style="list-style-type: none"> Event sponsored and conducted by a plan in a less structured or less formal environment, typically a manned table, kiosk etc. Activity paid for and conducted by the plan with the purpose of “marketing to, and steering, or attempting to steer, potential members towards a specific or limited number of plans”. No formal group presentation planned, but proactive interactions with beneficiaries requesting information, future follow-up or with specific questions about the plan. Ability to set 1:1 appointments for individual needs assessment after the event has taken place. Scope of appointment must be obtained prior to a 1:1 appointment. |
| Applies To / Also Called | <ul style="list-style-type: none"> Educational events only. Health fairs can be considered educational if they do not include any sales activities such as the distribution of marketing materials or the distribution or collection of plan applications. | <ul style="list-style-type: none"> Traditional seminars, group sales events or presentations. | <ul style="list-style-type: none"> Table and chair activities/events. Any public setting in which we establish a “presence” and a formal sales presentation is not planned. Other “street” marketing (e.g., kiosks, lemonade stands, etc.) Health/Wellness fairs. |
| Loaded in Salesforce* As | <ul style="list-style-type: none"> Educational event | <ul style="list-style-type: none"> Formal Sales Event | <ul style="list-style-type: none"> Informal Sales Event |
| Key parameters | <ul style="list-style-type: none"> Materials available must be free of plan-specific information like premiums, co-payments, contact information and any bias toward one plan type over another. Events cannot be held at in-home or one-on- | <ul style="list-style-type: none"> Planned in advance. Attendees invited and/or event is advertised. Structured, audience-presenter style. Products to be covered and advertised/ announced in advance. Conducted at a fixed location with an address | <ul style="list-style-type: none"> Locations must be fully confirmable and NEVER subject to change on short notice. Must adhere to back-up coverage procedures. Must adhere to additions, change and cancellation procedures. Same scheduling, |

Event Planning

| Definitions/Permissible Activities | Educational Events | Formal Sales Events | Informal Sales Events |
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| | <p>one settings.</p> <ul style="list-style-type: none"> Events may not include any sales activities such as the distribution of marketing materials or the distribution or collection of plan applications. <p>You MAY:</p> <ul style="list-style-type: none"> -Use a banner with the plan name and/or logo displayed. -Use promotional items, including those with plan name, logo and toll-free customer service number and/or website. -Promotional items must be free of benefit information and of nominal value at \$15 or less per beneficiary. -Conduct raffles and drawings at a maximum nominal value of \$15 per anticipated attendee. <p>Note: Nominal gifts may not be in the form of cash or other monetary rebates regardless of their value.</p> <ul style="list-style-type: none"> -Use RV's for advertising ONLY. <p>-Use RV's for advertising and 1:1 appointments.</p> <p>You may NOT:</p> <ul style="list-style-type: none"> -Respond to product questions asked at an educational event. -Advertise an educational event and then have a marketing/sales event immediately following in the same general location (e.g., same hotel.) | <p>and venue contact (e.g., an auditorium, meeting/conference room, restaurant, and senior center lounge or community partner site.)</p> <p>You MAY:</p> <ul style="list-style-type: none"> -Conduct raffles and drawings at a maximum nominal value of \$15 per anticipated attendee. <p>Note: Nominal gifts may not be in the form of cash or other monetary rebates regardless of their value.</p> <ul style="list-style-type: none"> -Use RV's for advertising and 1:1 appointments. | <p>reporting and coverage requirements as formal events.</p> <p>You MAY:</p> <ul style="list-style-type: none"> -Use RV's for advertising and 1:1 appointments. |
| Principal purpose | Education | Marketing/Selling | Marketing/Selling |
| Ability to serve food | <p style="text-align: center;">YES</p> <p>Permissible items are as follows:</p> <ul style="list-style-type: none"> Subsidized meals | <p style="text-align: center;">YES</p> <p>Permissible items are as follows:</p> <ul style="list-style-type: none"> Fruit Raw vegetables Pastries | <p style="text-align: center;">YES</p> <p>Permissible items are as follows:</p> <ul style="list-style-type: none"> Fruit Raw vegetables Pastries |

| Event Planning | | | |
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| Definitions/Permissible Activities | Educational Events | Formal Sales Events | Informal Sales Events |
| | | <ul style="list-style-type: none"> • Cookies or other small bite sized desserts • Crackers • Muffins • Cheese • Chips • Yogurt • Nuts | <ul style="list-style-type: none"> • Cookies or other small bite sized desserts • Crackers • Muffins • Cheese • Chips • Yogurt • Nuts |
| Event Timing | <ul style="list-style-type: none"> • Plan to arrive in time to setup and begin the presentation at the scheduled start time in Salesforce* CMS/WellCare surveillance expects events to start on time. • If the event has no attendees AND 30 minutes have passed from the event start time in Salesforce*; the Host may leave after 30 minutes from the event start time. • Minimum event time is 1 hour, excluding setup. | <ul style="list-style-type: none"> • Plan to arrive in time to setup and begin the presentation at the scheduled start time in Salesforce* CMS/WellCare surveillance expects events to start on time. • If the event has no attendees AND 30 minutes has passed from the event start time in Salesforce*; the Host may leave after 30 minutes from the event start time. • Minimum event time is 1 hour, excluding setup. | <ul style="list-style-type: none"> • Plan to arrive in time to setup the tabletop, according to the “compliant table” guidance, and to begin at the scheduled start time in Salesforce* CMS/WellCare surveillance expects events to start on time. • Host must attend for the entire time scheduled in Salesforce* • Host may leave the event ONLY if there is an alternate event Host present. • Minimum event time is 1 hour, excluding setup. • Hosts may stay past the set end time. • Events should only be scheduled for 1 hour or based on direction from market leadership. |
| Ability to conduct such an event at a “vulnerable populations” site serving prepared meals | <p>YES, but</p> <ul style="list-style-type: none"> • Must have written permission from the facility on file in Salesforce* • Must not be present one hour prior, during and one hour after food is being served. • Refer to Site Based Marketing Guide for further details. | <p>YES, but</p> <ul style="list-style-type: none"> • Must have written permission from the facility on file in Salesforce* • Must not be present one hour prior, during and one hour after food is being served. • Refer to Site Based Marketing Guide for further details. | <p>YES, but</p> <ul style="list-style-type: none"> • Must have written permission from the facility on file in Salesforce* • Must not be present one hour prior, during and one hour after food is being served. • Refer to Site Based Marketing Guide for further details. |
| Ability to conduct such an event at a “vulnerable populations” site distributing groceries | <p>YES, but</p> <ul style="list-style-type: none"> • Must have written permission from the facility on file in Salesforce* • Location of WellCare Benefit Consultant must be a minimum of 25 feet away from | <p>YES, but</p> <ul style="list-style-type: none"> • Must have written permission from the facility on file in Salesforce* • Location of WellCare Benefit Consultant must be a minimum of 25 feet away from grocery | <p>YES, but</p> <ul style="list-style-type: none"> • Must have written permission from the facility on file in Salesforce* • Location of WellCare Benefit Consultant must be a minimum of 25 feet away from grocery |

| Event Planning | | | |
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| Definitions/Permissible Activities | Educational Events | Formal Sales Events | Informal Sales Events |
| | grocery distribution or a physically separated space, such as a meeting room or office. <ul style="list-style-type: none"> WellCare Benefit Consultants should not engage in conduct that would suggest that enrolling with WellCare is a condition of obtaining food or services. Refer to Site Based Marketing Guide for further details. | distribution or a physically separated space, such as a meeting room or office. <ul style="list-style-type: none"> WellCare Benefit Consultants should not engage in conduct that would suggest that enrolling with WellCare is a condition of obtaining food or services. WellCare Benefit Consultants must display appropriate signage notifying attendees that WellCare is not associated with the food. Refer to Site Based Marketing Guide for further details. | distribution or a physically separated space, such as a meeting room or office. <ul style="list-style-type: none"> WellCare Benefit Consultants should not engage in conduct that would suggest that enrolling with WellCare is a condition of obtaining food or services. WellCare Benefit Consultants must display appropriate signage notifying attendees that WellCare is not associated with the food. Refer to Site Based Marketing Guide for further details. |
| Ability to conduct such an event at “3rd Party” sponsored events, where multiple entities are present and free food is being distributed | YES | NO | YES, but <ul style="list-style-type: none"> Engagement with a WellCare representative is not a contingency of receiving food. WellCare is not associated in any way (subsidization or distribution) with the food. Proximity of the WellCare event should not lead to misinterpretation that WellCare is in any way associated with the food. WellCare Benefit Consultants must display appropriate signage notifying attendees that WellCare is not associated with the food. |

| Event Advertising | | | |
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| Definitions/Permissible Activities | Educational Events | Formal Sales Events | Informal Sales Events |
| Can be advertised in WellCare Print or Direct Mail | YES, but: <ul style="list-style-type: none"> Not comingled with Sales and Marketing Events Using proper disclaimer | YES <ul style="list-style-type: none"> Minimum lead/approval time: <ul style="list-style-type: none"> - Non-advertised events: 10 days - Direct Mail: 30 days - Print: 16 days | YES <ul style="list-style-type: none"> Minimum lead/approval time: <ul style="list-style-type: none"> - Non-advertised events: 10 days - Direct Mail: 30 days - Print: 16 days |

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| | | NOTE: Longer lead time will allow for further exposure for print placements. | NOTE: Longer lead time will allow for further exposure for print placements. |
| Advertisements and Marketing Materials needs to be approved by CMS | <p>YES</p> <ul style="list-style-type: none"> Per WellCare's policy | YES | YES |

Event Advertising

| Definitions/Permissible Activities | Educational Events | Formal Sales Events | Informal Sales Events |
|--|--------------------|---------------------|-----------------------|
| Advertisement needs to include scope of product language and disclaimers | NO | YES | YES |
| Advertisement needs to include educational event disclaimer | YES | N/A | N/A |

Event Execution

| Definitions/Permissible Activities | Educational Events | Formal Sales Events | Informal Sales Events |
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| Required to Report to CMS | <p>YES</p> <ul style="list-style-type: none"> Per WellCare's policy | YES | YES |
| Business cards can be made passively available on the table, or handed to a beneficiary who requests contact information | <p>NO</p> <ul style="list-style-type: none"> Cannot be displayed Business cards can only be provided IF the beneficiary request contact information. | <p>YES</p> <ul style="list-style-type: none"> Can be displayed Business cards can only be provided IF the beneficiary request contact information. | <p>YES</p> <ul style="list-style-type: none"> Can be displayed Business cards can only be provided IF the beneficiary request contact information. |
| Ability to distribute and collect consent forms (BRCs, or conduct other lead gathering) | <p>NO</p> <ul style="list-style-type: none"> Cannot require beneficiary to complete a C2C card. | <p>YES</p> <ul style="list-style-type: none"> Cannot require beneficiary to complete a C2C card. | <p>YES</p> <ul style="list-style-type: none"> Cannot require beneficiary to complete a C2C card. |
| Ability to distribute plan benefit information (e.g., pre-sale info, BOs, etc.) | NO | YES | YES |
| Ability to conduct a compliant sales presentation | NO | <p>Group Presentation & Individual Presentation:</p> <p>Reference "Ability to conduct an immediate appointment using AVL."</p> | <p>Individual Presentation:</p> <p>Reference "Ability to conduct an immediate appointment using AVL."</p> |
| Mandatory Attendance after event cancellation | <p>YES, if:</p> <ul style="list-style-type: none"> Event was requested for advertising Note: Mandatory attendance is 30 minutes, beginning at the documented Salesforce* start time. | <p>YES, if:</p> <ul style="list-style-type: none"> Event was requested for advertising Note: Mandatory attendance is 30 minutes, beginning at the documented Salesforce* start time. | <p>YES, if:</p> <ul style="list-style-type: none"> Event was requested for advertising Note: Mandatory attendance is 30 minutes, beginning at the documented Salesforce* start time. |

| Event Execution | | | |
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| Definitions/Permissible Activities | Educational Events | Formal Sales Events | Informal Sales Events |
| <p>Key Parameters</p> | <p>You may NOT:</p> <ul style="list-style-type: none"> -Discuss any health related topics. -Discuss plan-specific premiums and/or benefits. -Distribute plan specific materials. -Distribute or display business reply cards, scope of appointment forms, enrollment forms or sign-in sheets. -Set up individual sales appointments or get permission for an outbound call to the beneficiary. | <p>You may NOT:</p> <ul style="list-style-type: none"> -Conduct health screenings or other like activities that could give the impression of "cherry picking." -Require beneficiaries to provide any contact information as a prerequisite for attending the event (i.e. Requiring an e-mail address or any other contact information as a condition to RSVP for an event online or through mail.) -Distribute or display sign-in sheets. -Use personal contact information obtained to notify individuals of raffle or drawing winnings for any other purpose. | <p>You may NOT:</p> <ul style="list-style-type: none"> -Conduct health screenings or other like activities that could give the impression of "cherry picking." -Require beneficiaries to provide any contact information as a prerequisite for attending the event (i.e. Requiring an e-mail address or any other contact information as a condition to RSVP for an event online or through mail.) -Distribute or display sign-in sheets. -Use personal contact information obtained to notify individuals of raffle or drawing winnings for any other purpose. |

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| Definitions/Permissible Activities | Educational Events | Formal Sales Events | Informal Sales Events |
| <p>Ability to conduct an <u>immediate</u> appointment using AVL</p> | <p>NO</p> | <p>YES, but</p> <ul style="list-style-type: none"> • Hosts can perform an immediate appointment after the AVL and move to a 1:1 meeting if <ul style="list-style-type: none"> – 1) 1 beneficiary is in attendance OR – 2) the event group presentation has completed • Hosts must wait a minimum of 15 minutes from the event start time before transitioning to a 1:1 meeting. • All 1:1 meetings must be able to ensure Privacy and utilize the AVL • Hosts may utilize the 15 minute wait time to initiate AVL | <p>YES, but</p> <ul style="list-style-type: none"> • Hosts can perform an immediate appointment after the AVL and move to a 1:1 meeting if <ul style="list-style-type: none"> – 1) there is an alternate host OR – 2) the event has completed based on the end time set in Salesforce*.com AND – 3) all commitments with the venue have been met • All 1:1 meetings must be able to ensure Privacy and utilize the AVL • Producer must fulfill minimum scheduled time before moving to a 1:1 appointment |
| <p>Ability to set up <u>future</u> appointment via AVL</p> | <p>NO</p> | <p>YES</p> | <p>YES</p> |
| <p>Ability to take</p> | <p>NO</p> | <p>YES, if:</p> | <p>YES, if:</p> |

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| Definitions/Permissible Activities | Educational Events | Formal Sales Events | Informal Sales Events |
| applications/enroll beneficiaries | | <ul style="list-style-type: none"> • After group presentation, AVL and 1:1 appointment where the Summary of Benefits is covered in full | <ul style="list-style-type: none"> • After group presentation, AVL and 1:1 appointment where the Summary of Benefits is covered in full |

Attachment B: WellCare Provider Based Marketing Tool

| General Guidelines | |
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| Permissible | Not Permissible |
| <p>1. WELLCARE <u>can</u> include provider logos or reference providers as “ WellCare partners” in CMS approved marketing materials</p> <ul style="list-style-type: none"> ○ Must be printed/produced in accordance with the way materials were submitted to CMS | <p>1. WELLCARE <u>cannot</u> generate leads, conduct sales presentations or sales events, physically distribute or collect enrollment materials or consent to contact forms, directly from patients in a provider office treatment area or waiting room, or, any place that is not clearly separate or less than 25 ft. from such an area</p> <ul style="list-style-type: none"> a. Providers or their staff <u>cannot</u> accept consent forms on behalf of the plan or steer beneficiaries to the plan |
| <p>2. WELLCARE <u>can</u> make CMS-approved sales materials and/or consent forms passively available in non-treatment areas as long as the PROVIDER extends the privilege to all participating plans.</p> <ul style="list-style-type: none"> ○ Consent-to-contact cards should be completed by beneficiaries, but may be completed by a plan representative if requested by the beneficiary. ○ Marketing materials such as posters, product brochures, etc. may be displayed in healthcare provider waiting rooms as long as the area is considered a common area. | <p>2. WELLCARE <u>cannot</u> be present or conduct any marketing or sales activities in areas that could be construed as encroaching on the path to, or path from, a waiting, treatment, or other inappropriate area</p> |
| <p>3. WELLCARE <u>can</u> conduct formal, informal, and educational events or participate in health fairs in appropriate <u>common areas</u> such as conference rooms, cafeterias (observing snack rules) that are <u>either</u> clearly separate from and/or are at least 25 ft. from treatment areas, drug dispensing areas, waiting areas or other areas that patients receive or wait for medical services.</p> <ul style="list-style-type: none"> ○ All sales events must be properly advertised in Salesforce and Reported to CMS. <p>Common areas include hospital or nursing home cafeterias, community or recreational rooms, and conference rooms.</p> | <p>3. Violation of Event Mgmt policy and procedures</p> |
| <p>4. WELLCARE RVs <u>can</u> be present at provider locations during Formal, Informal and Educational Events and are reported to CMS</p> <ul style="list-style-type: none"> ○ When hosting Formal or Informal Sales Events, RVs may be used to host compliant 1:1 presentations ○ Table/booth coverage must be maintained during the scheduled event time and should not be abandoned to conduct a 1:1 presentation <p>NOTE: See the Educational, Formal and Informal event definitions in the <i>Event Definition Tool</i>.</p> | <p>4. WELLCARE RVs <u>cannot</u> be used to maintain a continuous presence at provider locations.</p> |
| <p>5. PROVIDERS <u>can</u> host (e.g., provides a location for) a sales event – including on a health topic – as long as it’s advertised and in Salesforce and Reported to CMS accordingly and provider does not steer, endorse or market a specific plan in any way, and offers the same opportunities to all plans he participates with</p> <ul style="list-style-type: none"> ○ PROVIDER <u>can</u> host or participate in an educational event that WellCare attends, as long as it’s advertised as such and all pertinent rules around educational events are followed | <p>5. PROVIDERS <u>cannot</u> host or participate in a non-medical/health related event (e.g., dance, party) that prominently features the provider for the purpose of endorsing or promoting a particular plan.</p> <p>6. Providers may not steer potential enrollees to WellCare. Providers must remain neutral when assisting with enrollment decisions and should not offer scope of appointment forms.</p> <p>7. PROVIDERS <u>cannot</u> make outbound calls to their patient list on behalf of any plan</p> <p>8. We are responsible for the actions of providers when their activities related to our business. Please use every opportunity to educate our provider partners on how the new CMS rules impact them – especially in any matters involving us.</p> |

| Provider Direct Mail Guidelines | |
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| Permissible | Not Permissible |
| <p>1. Communications to Patient Panels</p> <ul style="list-style-type: none"> ○ Initial Communication to Patient Panel <ul style="list-style-type: none"> ● Provider Affiliation Mailer: A Provider within the WCG network is permitted to send the CMS-Approved, WellCare <u>New</u> Affiliation direct mail package that announces and informs their patients of their acceptance of WellCare Health Plans. This “New” affiliation mailer may only be sent <u>one time</u>, and is not required to reference the other plans they accept. This affiliation mailer is allowed to include an option for their patient beneficiaries to attend a WellCare Sales Event, as a means to gain information about our plans and benefits. CMS prefers providers do not discuss plans and benefits with their patients, as they are not representatives of the MAO. ○ Recurring Communications to Patient Panel <ul style="list-style-type: none"> ● Providers <u>can</u> conduct subsequent mailings directly to their patient base <u>only</u> if the material references all participating plans. WellCare will not create mail pieces to accommodate other plans. ● Provider Affiliation Mailer – RECURRING: A provider is permitted to send the CMS-Approved, WellCare “<u>Recurring Affiliation</u>” direct mail package that informs their patients about their acceptance of WellCare Health Plans. This “Recurring Affiliation” mailer may be sent more than one time and must reference the other plans they accept. In the event WellCare Health Plans is the only contracted MAO, the letter will reference the provider’s additional acceptance of Original Medicare. As a WellCare business policy, “Recurring Affiliation” mailers may only be sent to a provider’s patient panel once per quarter. | <p>1. General Guidance – NEW or RECURRING:</p> <ul style="list-style-type: none"> ○ WellCare associates should never handle or have access to a Provider’s patient mail file. Field agents should coordinate the execution of such direct mail campaigns according to WellCare business policy and the defined marketing program processes. WellCare should never directly reimburse a provider for their mailing or marketing expenses. ○ WELLCARE <u>cannot</u> send direct mail to prospective beneficiaries from a provider’s patient list to promote sales or other events – unless utilizing an Initial Communication Mailer ○ PROVIDERS <u>cannot</u> send direct mail to prospective beneficiaries from their patient lists to only promote a WellCare sales or other event (must promote all plans they participate with) after in initial communication ○ PROVIDERS <u>cannot</u> include the WellCare name or logos on any materials that are not CMS-approved, don’t include all plans they participate with, and have been approved by WellCare Marketing leadership ○ WellCare will not create mail pieces to accommodate other plans logos ○ WELLCARE <u>cannot</u> make any payment to a provider that is not for the provision of health care services pursuant to a WellCare network provider contract. This includes, but is not limited to: <ul style="list-style-type: none"> ○ Donations or financial contributions to providers for the purposes of funding events or activities ○ Purchasing or reimbursing advertising for a provider ○ Sponsoring value-added benefits outside the standard process ○ Payment of fees for use of provider venues for marketing, or reimbursement for personal or business expenses ○ If a third party vendor is utilized, WellCare must ensure the vendor is not providing reimbursement to the provider. ○ Provider- Recurring Only – The “Recurring Affiliation” mailer is <u>not</u> allowed to include an option for their patient beneficiaries to attend a recurring WellCare Sales Event. ○ PROVIDER – WELLCARE may not be referenced or included in provider materials unless: (a) their materials have been submitted to CMS as WellCare marketing material AND (b) promote ALL plans they accept. |
| <p>2. All Providers / General Prospecting (outside their current panel)</p> <ul style="list-style-type: none"> ○ WELLCARE <u>can</u> send direct mail to prospective beneficiaries from a “general mail list” to promote sales or other events to beneficiaries in a provider’s vicinity. ○ Can be co-branded if a CMS-approved piece includes partner “bracketing” ○ PROVIDERS <u>can</u> send direct mail to prospective beneficiaries from a “general mail list” (i.e. NOT their patient list) to promote an event for their participating plans ○ Co-Marketing Activities for General Prospecting: As opposed to a provider’s marketing and communications directed towards their current patient panel, it is recognized that providers may also have an interest in acquiring new patients. As such, they may execute on campaigns aimed at “general prospecting”. Such campaigns may include, but are not limited to, mass media (i.e. newspaper, radio, tv, flyers, outdoor), event marketing (e.g. Open Houses, Community Events), and direct response (i.e. Direct Mail). It is permissible for WellCare to participate as a partner in such marketing campaigns as a co-sponsor, keeping in mind: <ul style="list-style-type: none"> ● Providers must offer similar opportunities to other MAO’s they are contracted with ● Marketing materials or messages must be CMS Approved, WellCare versions ● Event Marketing guidelines are followed – see <i>Event Definition Tool</i> for further details. | |

Attachment C: WellCare Site Based Guidance Tool

| Sites and Locations | No Marketing Allowed | Allowable Activities | | |
|---|------------------------------|------------------------------|------------------------------|------------------------------|
| | | Educational | Formal | Informal |
| Adult Foster Care Home | X | | | |
| Adult Day Care Center | X | | | |
| Skilled Nursing Facility/Nursing Home | X | | | |
| Assisted Living Facility | X | | | |
| Halfway House or Group Home | X | | | |
| State Home or Facility for Mentally Disabled | X | | | |
| VA Hospital | X | | | |
| Federal, State or local Gov't Facility/Office/Building (e.g. SPAP, HUD, SSA, Family Services, access centers) | X | | | |
| Gambling Locations (Excluding Bingo) | X | | | |
| Anywhere medical services are provided or disbursed (pharmacy, Dr's office etc.) | See Provider Based Mktg Tool | See Provider Based Mktg Tool | See Provider Based Mktg Tool | See Provider Based Mktg Tool |
| Food Pantries/Soup Kitchens (free food) ^{-a & c} | | X | X | X |
| Low income housing (e.g. Section 8, HUD) ^{-a} | | X | X | X |
| Senior Centers | | X | X | X |
| Low income Grocery Store (discounted or subsidized food) | | X | X | X |
| VFW or Veteran's Social Clubs | | X | X | X |
| Senior Assistance Sites (Council on Aging) | | X | X | X |
| Rehabilitation Facilities ^{-b} | | X | X | X |
| Faith-based Organization Sites | | X | X | X |
| Retail outlets ^{-b} | | X | X | X |
| Street Marketing, Table and Chairs, Festivals, Parades, Fairs | | | | X |
| Locations hosting Health Fairs or Health Expos | see Event Definition Tool | | | |

a – Considered “Vulnerable Population Sites”; An Event Authorization Form is *required* to hold any type (e.g. Educational or Formal) of event

b– If this site is in any way involved in or houses medical services (e.g. pharmacy, physician office, health screening, etc) refer to the “Provider-Based Marketing Tool”

c – Represents POSSIBLE marketing activities. See “Event Definition Tool” for details, requirements and restrictions related to allowable marketing events for a given site/circumstance