

This compliance bulletin is being resent to correct the spelling of the lead vendor Needlead.



**IMPORTANT NOTICE:  
Non-Complaint Lead Source – Direct Mail**

Compliance has recently been made aware of a lead vendor’s direct mail piece that **does not meet carrier or CMS’s Medicare Marketing requirements**. YourPlanChoice Compliance is issuing this notice to ensure all agents and agencies **review their current lead generation and marketing practices** to confirm these types of direct mail lead sources are **not in use**. If you are using this direct mail lead source in your business, **you must cease all distribution and use of this mailer immediately** to avoid escalation or additional remediation action.

**Lead Vendor: Needlead**

**Example of Non-Compliant Direct Mail Lead Source:**

★★★ Medicare Savings Program ★★★

Dev. GB

Dear [REDACTED]

Do you qualify to have your Medicare Part B premium paid for by the state of UTAH?? If you do qualify, you will receive your annual \$2,434.80 back into your Social Security check (\$202.90 Monthly).

only 1/8/20

Do you qualify for the Extra Help Program with your prescription drugs from Social Security? Do you qualify for Medicaid? Have you been receiving all the extra benefits that may be available to you?

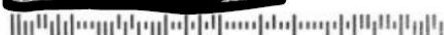
You are entitled to receive no-cost information as a resident of CLEARFIELD. IMPORTANT- Return this postage paid card within 5 days

YES, I would like to find out if I qualify for any or all of the benefits listed above



T58803-UT11 1877 \*\*\*\*\*AUTO\*\*5-DIGIT 84015

[REDACTED]



Name: [REDACTED]

Home Address: [REDACTED]

Phone: [REDACTED]

(Please include area code & phone number to ensure proper info routing)

Not affiliated with or endorsed by any government agency.

**Compliance Concerns with the Mailer:**

- **Lack of HPMS Filing (Unapproved Material):** The document does not feature a valid CMS-approved Material Identification Number. This indicates the mailer may not have been submitted through the Health Plan Management System (HPMS) for review and approval prior to distribution, which is a violation of CMS marketing regulations.
- **Misleading Marketing & Deceptive Savings Claims:** The headline explicitly asks, "Do you qualify to have your Medicare Part B premium paid for by the state of NORTH CAROLINA?? If you do qualify, you will receive your annual \$2,434.80 back into your Social Security check (\$202.90 Monthly)." This creates a deceptive expectation of broad financial gain. CMS regulations strictly prohibit marketing materials from stating a specific dollar amount back into a Social Security check without clarifying that this benefit is plan- and county-specific and subject to strict eligibility criteria.
- **Missing Mandatory TPMO Disclaimer:** As a Third-Party Marketing Organization (TPMO), the agency is strictly required to include the standardized CMS TPMO disclaimer on all print materials. The mandatory statement ("We do not offer every plan available in your area...") is absent.
- **Misleading Government Affiliation:** The top header features graphic stars surrounding the text "Medicare Savings Program", and the layout utilizes standard postal barcodes and automated text strings designed to look like official government correspondence. Despite the small-print footnote statement "Not affiliated with or endorsed by any government

agency", the primary layout is constructed to mislead a beneficiary into believing this is an official federal or state communication.

- **Prohibited Pressure Tactics & Artificial Urgency:** The text states: *"IMPORTANT- Return this postage paid card within 5 days."* Imposing an arbitrary, restrictive deadline creates a false sense of urgency. CMS guidelines heavily restrict the use of high-pressure sales and marketing language designed to rush beneficiaries into submitting personal information.
- **Failure to Specify Plans/Product Types:** While the mailer mentions "Medicare Savings Program", "Extra Help Program", and "Medicaid", it uses generic language to harvest leads without declaring what specific types of Medicare Advantage, Part D, or Supplemental plans the agency is actually marketing.

As a reminder, agents are personally responsible for ensuring that their lead generation and marketing activities comply with carrier and CMS requirements and all marketing materials used for lead generation must be approved by carriers and CMS prior to use. Certain carriers also require the approval of permission to contact pieces even if they do not meet the definition of "marketing" as defined by CMS. The use of unapproved marketing materials places both the agent and YourPlanChoice at risk for corrective action.

If you have additional questions on lead generation practices, please contact your direct upline.

Please also see the YourPlanChoice policy on Use of Lead Vendors located in the Policies section of [Compliance - YourFMO](#)

### **Required Reading and Distribution**

**This Important Notice is required to be distributed to all agents/agencies in your hierarchy. You are required to ensure that you and your agents are familiar with the Important Notice and are not using these noncompliant lead sources.**



