

## Policy-CPL-ISO-021 - Scope of Appointment

Original Date: 10/29/2008

Accountable Dept.: 50213 - MarketPoint Sales Integrity

Last Reviewed Date: 04/24/2024

### Summary of Changes:

- Annual review

### Scope:

This policy applies to all personal/individual marketing appointments where Medicare Advantage and Prescription Drug Plan products are being discussed.

### Policy Statement:

The scope of appointment (SOA) form must be documented for all marketing activities, in person, telephonically, including walk-ins to Plan/Part D sponsor or agent offices.

The following requirements must be on the Scope of Appointment form or on the recorded call:

- Product types to be discussed
- Date of appointment
- Beneficiary and agent contact information
- Statement stating, no obligation to enroll, current or future Medicare enrollment status will not be impacted, and automatic enrollment will not occur

A new SOA is required if, during an appointment/call, the beneficiary requests information regarding a different plan type than previously agreed upon.

As defined in CFR §§ 422.2260 and 423.2260, CMS considers marketing to be:

Content that beneficiaries can receive benefits such as dental, vision, cost-savings, and/or hearing services is sufficient information about plan benefits, benefits structure, or cost sharing meet the content standard in the definition of marketing. Content that mentions any type of benefit covered by the plan and is intended to draw a beneficiary's attention to plan or plans, influence a beneficiary's decision-making process when selecting a plan, or influence a beneficiary's decision to stay enrolled in a plan (that is, retention-based marketing). Any material or activity that is distributed via any means (e.g., mailing, television, social media, etc.) that mentions any benefit will be considered marketing.

Scope of Appointment:

1. Limitations are being imposed pertaining to the time that a sales agent can call a potential enrollee to no more than 12 months following the date that the enrollee first asked for information. The 12-month timeframe applies to business reply cards (BRCs), permission to contact (PTC)s, and scope of appointment (SOAs). *NOTE: Humana considers it a best practice to secure BRCs/PTCs/SOAs regularly to ensure the consumers current plan(s) of interest are documented as within a 12-month timeframe interests may have changed.*

2. The prohibition on door-to-door contact without a prior appointment remains in effect and applies after collection of a BRC, PTC, or SOA.
3. There is a required 48-hour time frame between execution of a SOA and an agent meeting with a beneficiary to discuss plans.
  - a. Exceptions: If it is 4 days prior to end of election period (AEP, IEP, OEP, and SEP) or if it is a beneficiary-initiated walk-in. Walk-in includes agent’s office, a kiosk, a plan’s office, or any other walk-in type of scenario. Telephonic inbound calls are also exempt as these are akin to walk-ins.
4. There will be a prohibition on collection of Scope of Appointment at educational events. It will remain permissible for agents to collect Business Reply Cards/Permissions to Contact at educational events.
5. Agents will be prohibited to Set up personal marketing appointments at educational events. This includes collection of SOAs.
6. The validity of SOA is 12 months.
7. Concerning SOAs captured telephonically, recording requirements apply to only those calls regarding sales, marketing, and enrollment. SOAs fall within this scope.

**Definitions:**

N/A

**References:**

N/A

**Communication and Training Plan:**

No Changes to Existing Policy

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|----------------------------|------------------|------------------------|-------------|
| Owner:                     | Stephanie French | Executive Team Member: | Tracy Nolan |
| Accountable VP / Director: | Marla Sanders    |                        |             |

**Disclaimer:**

Humana follows all federal and state laws and regulations. Where more than one state is impacted by an issue, to allow for consistency, Humana will follow the most stringent requirement.

This document is intended as a guideline. Situations may arise in which professional judgment may necessitate actions that differ from the guideline. Circumstances that justify the variation from the guideline should be noted and submitted to the appropriate business area for review and documentation. This (policy/procedure) is subject to change or termination by Humana at any time. Humana has full and final discretionary authority for its interpretation and application. This (policy/procedure) supersedes all other policies, requirements, procedures or information conflicting with it. If viewing a printed version of this document, please refer to the electronic copy maintained in Policy Source to ensure no modifications have been made.

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Failure to comply with any part of Humana’s policies, procedures, and guidelines may result in disciplinary actions up to and including termination of employment, services or relationship with Humana. In addition, state and/or federal agencies may take action in accordance with applicable laws, rules and regulations.

Any unlawful act involving Humana systems or information may result in Humana turning over all evidence of unlawful activity to appropriate authorities. Information on handling sanctions related to noncompliance with this policy may be found in the Expectations for Performance, and Critical Offenses policies, both of which may be found in the Associate Support Center via Humana's secure intranet on Hi! (Workday & Apps/Associate Support Center).