



## **New Scope of Appointment (SOA) Requirements for Contract Year 2027**

CMS finalized significant updates to the Scope of Appointment (SOA) requirements under the Contract Year 2027 Final Rule ([42 CFR §§ 422.2264\(c\)\(3\)](#) and [423.2264\(c\)\(3\)](#)). The most notable change removes the mandatory 48-hour waiting period between obtaining an SOA and conducting a personal marketing appointment beginning October 1, 2026 for Plan Year 2027 enrollments. While appointments may now occur on the same day that an SOA is completed, agents must continue to obtain an SOA before every personal marketing appointment.

### **Key Takeaways**

- ✓ Same-day personal marketing appointments are permitted beginning October 1, 2026 for Plan Year 2027 enrollments.
- ✓ Both electronic signatures and wet signatures satisfy the 'in writing' requirement.
- ✓ Audio/audio-video recordings or electronic records are acceptable for non-in-person appointments.

- ✓ SOAs remain valid for 12 months when the product scope does not change.
- ✓ A new SOA is required before discussing any product outside the original scope.

### Previous Rule vs. New Rule

|                               | Previous Requirement                                                                                             | Plan Year 2027 Requirement                                                                                       |
|-------------------------------|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <b>48-Hour Waiting Period</b> | Required before marketing appointment                                                                            | Eliminated; same-day appointments permitted                                                                      |
| <b>SOA Format</b>             | Written documentation required                                                                                   | Electronic signatures/records acceptable                                                                         |
| <b>Virtual Appointments</b>   | Recorded documentation permitted                                                                                 | No change; audio/audio-video/electronic records acceptable                                                       |
| <b>SOA Validity</b>           | 12 months from the beneficiary's signature date or the date of the beneficiary's initial request for information | 12 months from the beneficiary's signature date or the date of the beneficiary's initial request for information |
| <b>Product Scope</b>          | New SOA when scope changes                                                                                       | No change – a new SOA is required when scope changes                                                             |
| <b>Same-Day Appointments</b>  | Not permitted                                                                                                    | Permitted beginning October 1, 2026, for PY27 enrollments                                                        |
| <b>Electronic Signatures</b>  | Accepted, but often misunderstood                                                                                | CMS explicitly confirms electronic signatures and records satisfy the 'in writing' requirement                   |

|                                   |                                                  |                                                                                                                                                                                                                                 |
|-----------------------------------|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Different Plan Year</b></p> | <p>Guidance often interpreted inconsistently</p> | <p>If the SOA does not reference a specific plan year, a new SOA is not required solely because the plan year changes, provided the product scope remains the same and the SOA is still within its 12-month validity period</p> |
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### **Agent Action Items**

- Obtain and document an SOA before every personal marketing appointment.
- Only discuss products identified within the documented SOA.
- Obtain a new SOA before expanding discussions to additional product lines.
- Retain SOA documentation in accordance with CMS record retention requirements.
- Follow all CMS Medicare Communications and Marketing Guidelines.

### **Do I need an SOA?**

Yes. Elimination of the 48-hour waiting period does not eliminate the requirement to obtain an SOA before every personal marketing appointment. All other applicable CMS requirements remain in effect.

### **Do I still have to wait 48 hours?**

No. Beginning October 1, 2026, for plan year 2027 enrollments, appointments may occur the same day that an SOA is completed.

### **Is a wet signature required?**

No. Electronic signatures satisfy the 'in writing' requirement for in-person appointments.

## **Can I reuse an SOA?**

Yes. An SOA may be used for multiple appointments during its 12-month validity period provided the products indicated on the SOA did not change.

## **When is a new SOA required?**

A new SOA is required when additional product lines or products outside the documented scope will be discussed.

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