

Educational and Sales/Marketing Events

Educational Events

Educational events must be designed to generally inform beneficiaries about Medicare, including Medicare Advantage, Prescription Drug programs, or any other Medicare program. Educational events must only provide generic, factual, unbiased information about different coverage options, and must not be used to persuade beneficiaries to enroll in a particular plan. Marketing is prohibited at educational events.

The following requirements apply to educational events:

When Promoting Educational Events:

- Educational events must be explicitly advertised as educational.
- Educational event advertisements and invitations must also contain the following disclaimer: “For accommodations of persons with special needs at meetings call <insert phone and TTY number>.”

<https://www.fcc.gov/consumers/guides/711-telecommunications-relay-service>

Activities permitted at educational events:

- Provide communication materials
- Answer beneficiary-initiated questions pertaining to MA plans. You may not respond beyond a specific question a consumer asks.
- Make available and receive beneficiary contact information, including Business Reply Cards
- Meals may be provided to beneficiaries, provided the educational event meets all CMS regulations and falls under the CMS definition of communication
- Use sign-in sheets that clearly indicate providing contact information is optional

Activities not permitted at educational events:

- Market specific MA/PDP plans or benefits
- Distribute marketing materials, including plan applications
- Conduct sales/marketing presentations
- Distribute or collect Scope of Appointment forms
- Set up future personal marketing appointments
- Give away cash, gift cards or other monetary rebates

Sales/Marketing Events

Sales/marketing events are events that fall under the definition of marketing. Sales events can be formal or informal. Sales/Marketing Events must be filed with CMS through a Carrier.

- Formal Sales Events where agents present plan-specific information to an audience invited to the occasion
- Informal Sales Events where agents offer plan information upon request only while at a booth, table, kiosk, RV, etc.

When Promoting Sales/Marketing Events:

- Sales/Marketing events must be explicitly advertised as “sales”.
- Must include this disclaimer: “A sales representative will be present with information and applications.”
- Sales event advertisements and invitations must also contain the following disclaimer: “For accommodations of persons with special needs at meetings call <insert phone and TTY number>.”

<https://www.fcc.gov/consumers/guides/711-telecommunications-relay-service>

- If the promotional piece meets the definition of “marketing materials” instead of communication, please see below for additional requirements on ads/invites/promotional materials.

Activities permitted at sales/marketing events:

- Provide marketing materials
- Provide refreshments and light snacks to beneficiaries, as long as 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
- Distribute and accept plan applications
- Collect Scope of Appointment (SOA) forms for future personal marketing appointments
- Conduct marketing presentations.

Activities not permitted at sales/marketing events:

- Require sign-in sheets or require attendees to provide contact information as a prerequisite for attending an event
- Conduct health screenings, health surveys or other activities that may be perceived as, or used for, “cherry picking” or targeting a subset of members
- Use information collected for raffles or drawings for any purpose other than that; and/or
- Providing meals to beneficiaries regardless of value.
- Requirements for both educational and marketing sales events:
- Invitations to educational events must clearly state “educational” and invitations to sales/marketing events must clearly state “sales” on the materials themselves.

If advertising for both educational and sales/marketing events on the same material, the educational events must be clearly labeled as educational and

details regarding the date, time and location of each event must be specific on the material, so it is clear when and where each event is taking place.

Both Educational and Sales/Marketing event advertisements and invitations must contain the following disclaimer: “For accommodations of persons with special needs at meetings call <insert phone and TTY number>.”

<https://www.fcc.gov/consumers/guides/711-telecommunications-relay-service>

Sales agents may not schedule sales/marketing events to take place within 12 hours of an educational event at the same location. The same location is defined as the entire building or adjacent buildings.

Educational information may be presented at a sales/marketing event, but the sales/marketing event must be accurately identified as sales/marketing.

Other things to include on promotional materials:

If you mention a Carrier and/or benefits (even general benefits like dental, vision, hearing, etc.) it is considered a Marketing Material. All Marketing materials must be filed with a carrier and CMS (Spark can help). Communication materials do not need to be filed with CMS, but need to be approved by Spark prior to use.

Marketing Materials must contain:

1. Marketing Pieces must have a SMID:

Standardized material identification (SMID).

(1) **MA organizations** must use a standardized method of identification for oversight and tracking of materials received by beneficiaries.

(2) The SMID consists of the following three parts:

(i) The [MA organization](#) contract or Multi-Contract Entity (MCE) number (that is, “H” for MA or Section 1876 Cost Plans, “R” for Regional PPO plans (RPPOs), or “Y” for MCE, a means of identification available for Plans/Part D sponsors that have multiple MA contracts) followed by an underscore, except that the SMID for multi-plan [marketing](#) materials must begin with the word “MULTI-PLAN” instead of the [MA organization's](#) contract number (for example, H1234_abc123_C or MULTI-PLAN_efg456_M).

(ii) A series of alpha numeric characters (chosen at the [MA organization's](#) discretion) unique to the material followed by an underscore.

(iii) An uppercase “C” for [communications](#) materials or an uppercase “M” for [marketing](#) materials (for example, H1234_abc123_C or H5678_efg456_M).

SMID Example: MULTIPLAN_SPARK-FLYER 2024_M.

2. The TPMO disclaimer must be on the Marketing piece. If you need help figuring out the number of organizations and plans, Spark has a tool to assist here: [Build your disclaimer](#)

"We do not offer every plan available in your area. Currently we represent [insert number of organizations] organizations which offer [insert number of plans] products in your area. Please contact Medicare.gov, 1-800-MEDICARE, or your local State Health Insurance Program (SHIP) to get information on all of your options."

3. When marketing plans outside of AEP, materials must include language clarifying that a prospect may “apply, choose or enroll” in a plan only if they are eligible via an SEP.
4. You may not advertise benefits that are not available to beneficiaries in the service area(s) where the marketing appears. So make sure that wherever this flier/other ad is being distributed the plan benefits are available.
5. All marketing materials must include the name of the Carrier(s) offering the plan(s) in 12 pt font.

6. Be careful with colors, imagery and terminology. You cannot use an image of the Medicare Card without written authorization from CMS on either Communication or Marketing Materials. You cannot use the Medicare name or CMS logo in a misleading way in any materials.

“Examples of the type of imagery and terminology that should be avoided include the overuse of American flag imagery, patriotic themed colors (red, white, and blue), symbols, logos or images that are made to resemble official government logos, and other terminology or images such as fonts, colors, barcodes, perforated envelopes, and “official” phrases that are associated with government documents.”

All Communication and Marketing Materials must contain:

1. A prominently placed disclaimer/tagline that clearly explains that an entity or website is not affiliated with, endorsed by, or otherwise somehow related to the federal government, CMS, HHS, or Medicare. Ex: ***“Not affiliated with or endorsed by any government agency.”***
2. The TPMO’s name (who the solicitation is coming from) and whom the beneficiary will reach if they respond (i.e., “a licensed sales/insurance agent”) must be clearly and prominently visible and legible to consumers near the phone number listed. Ex: ***“Calling this number will connect you to a licensed insurance agent.”***
3. For direct mail solicitations, the TPMO name or logo must be prominently placed on every mailing (either on or visible from the front of the envelope, or on the mailing itself when no envelope accompanies the piece).
4. If “Medicare” is in the name of the TPMO/Agency, a tagline such as the one below should appear directly below the name. For example, <Partner name that includes “Medicare”> - ***an insurance agency with no government affiliation.***

5. Compliant Agent Titles. Approved titles from CMS are Licensed Sales Agent, Licensed Sales Representative, Sales Agent, Sales Representative, Licensed Insurance Agent. They must be on the piece after or below the agent name.
6. If the ad contains phrases such as, “Free Medicare Plan Comparison”, materials need to include “**no obligation to enroll**” in the same sentence or in close proximity to the FREE reference. If there are space issues, an asterisk may be used to reference language in a legible footnote.

Registering Events with Carriers:

See Carrier specifics below.

Exact reporting deadlines and requirements vary from carrier to carrier, but typically the deadline is at least 14 days in advance of the date of the event so it’s important to get to know your carrier’s requirements. Look at your Carrier Broker Portals for guidance or call the Broker Support line at the Carrier.

Here are some general guidelines:

Sales Events, Formal and Informal, must be registered with the Carrier, who will file the event with CMS. You must only use Presentations and Scripts approved by the Carrier(s) and CMS.

Formal Sales Event: You will be presenting one plan from one carrier, so file the event with that carrier. If you will be presenting more than one carrier’s plan, you will need to file the event with each carrier and you will need to name all products and plan types you’ll cover before starting your presentation.

Informal Sales Event: You won’t be making a formal plan presentation; but you will most likely be answering plan questions from attendees and setting up future individual appointments. Keep in mind you are not allowed to compare one carrier’s plan to another carrier’s plan by name without getting written consent from all carriers involved in the comparison or without having studies or statistical data to back up comparisons. (comparisons must be factually based and can’t be misleading). You can file informal sales events with one or multiple carriers.

Alignment Health:

- Alignment requires Spark to file events on agent's behalf.
- The events submission deadline is the 14th of the month for events for the next month.
- For example, May events are due April 14; June events are due May 14; July events are due June 14th and so on.
- Exceptions must be submitted at least 7 days prior to the event date. (We are aware that new event opportunities do come up after the monthly deadline, but do ask for sufficient time for processing)
- Most events should be submitted to Alignment Health Plan by the monthly submission deadline.
- Future events can be submitted ahead of time if they are confirmed with venue.
- All event changes or cancelations need to be sent to Alignment as soon as possible; and at least 72 hours prior to the event.
- Download and complete the spreadsheet; submit to Compliance@SparkAdvisors.com
- [Alignment Event Spreadsheet](#)

Cigna:

- Log in to the Cigna Broker Portal.
- From the home page scroll down to Tools
- Click on Salesforce, then click on Campaigns.
- Click on New, fill in the form and click save/submit.

Devoted Health:

- Log in to the Devoted Broker Portal.
- From the home page click on Events and on the left side menu
- Click on the orange box "Submit New Event Request" in the upper right corner and follow the instructions.

Humana:

- Use Humana's QR code to register events.
- Scan the QR code below and follow the instructions.

Humana Partner Marketing Event
Request



Molina:

- Molina Requires Spark to file events on agent's behalf.
- Please download and complete the Molina Event Submission Spreadsheet
- [Molina 2024-CMS--Event-Submission-Form.xlsx](#)
- Send completed sheet to Compliance@SparkAdvisors.com

UHC:

- Log in to your Jarvis Broker Portal.
- From the Jarvis Home page, click on Sales Tools.
- Click on Meeting Resources, then click on Events.
- Click on New Event Request form.
- Download, complete and submit following the instructions on the form.

More carrier instructions coming soon!

Please reach out to Compliance@SparkAdvisors.com if you have any questions or need additional information.

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