

MEDICARE ADVANTAGE AND PART D PLANS, MEDICARE MARKETING RULES, AND THE SENIOR MEDICARE PATROL

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Agenda



- The Senior Medicare Patrol (SMP)
- Medicare – Parts A, B, C & D
- Medicare Advantage and Part D Marketing
- How can the SMP help?



The Senior Medicare Patrol (SMP)

The SMP Mission

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Empower and assist Medicare beneficiaries, their families, and caregivers to prevent, detect, and report healthcare fraud, errors, and abuse through outreach, counseling, and education



SMP Purpose and Structure

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- Provides grants to 54 grantees (all states, Puerto Rico, Guam, DC, and U.S. Virgin Islands)
- Recruit and train volunteers to conduct outreach and education to seniors and caregivers
 - Network of more than 5,000 volunteers
- Provides a direct link between Medicare beneficiaries and fraud investigators

Role of SMP Program in Fraud Prevention

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- Educate beneficiaries to prevent, identify and report potential fraud.
- Assist beneficiaries with complaints of potential fraud, error or abuse
- Make referrals of beneficiary complaints directly to CMS and OIG for further investigation.



Medicare – Parts A, B, C & D

What is the difference?

The Parts of Medicare

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- Part A – Hospital Insurance
 - ▣ Inpatient hospital services
 - ▣ Skilled nursing facility
 - ▣ Home health care
 - ▣ Hospice

The Parts of Medicare

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- Part A – Hospital Insurance
- Part B – Medical Insurance
 - Physician Visits
 - Durable Medical Equipment
 - Home Health Care
 - Preventative Services
 - Ambulance Services
 - Outpatient Therapy

= ORIGINAL MEDICARE

The Parts of Medicare

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- Part A – Hospital Insurance
- Part B – Medical Insurance
- Part D – Prescription Drug Coverage
 - Outpatient Prescription Drug Coverage
 - Provided by Private Insurance Companies
 - Plans are all different and vary by region

= ORIGINAL MEDICARE

The Parts of Medicare

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- Medicare Advantage (Part C)
 - ▣ Replaces Original Medicare (A & B)
 - Must cover all of the things A & B do
 - ▣ Offered by Private Insurance Companies
 - ▣ Often are Managed Care Plans (HMOs, PPOs, etc.)
 - Limits on which doctors/hospitals members can go to
 - ▣ Most also cover Part D benefits

Enrolling in Medicare Advantage and Part D

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- Many Plans = Many Options
 - ▣ Choice is good but it often leads to confusion
- These are administered by private insurance companies, so:
 - ▣ In most cases beneficiaries must enroll themselves into a plan in order to have coverage
 - ▣ Plans are marketed by the company selling them
 - ▣ Are often sold by private insurance agents



Medicare Advantage and Part D Marketing

What can insurance agents do? What can't they do?

Medicare Marketing Rules

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Insurance agents that sell Medicare Part D and Medicare Advantage Plans must abide by Medicare's rules for the marketing and selling of these plans.

Medicare Marketing Rules

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- CMS Definitions
 - ▣ **Education** – informing a beneficiary in an unbiased way about Medicare, Medicare Advantage, and Part D plans and products.
 - ▣ **Marketing** – promoting, steering, or attempting to steer, a potential enrollee towards a plan or limited number of plans
- Plans cannot conduct Marketing at an Educational Event

Medicare Marketing Rules

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- Plans and Insurance Agents **MAY NOT:**
 - Market plans in health care settings (waiting rooms, exam rooms, pharmacy counters, etc.)
 - Approach beneficiaries in a parking lot or hallway to try to sell a plan

Medicare Marketing Rules

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- **Insurance Agents MAY:**
 - Provide light snacks and/or beverages
 - Give out gifts worth less than \$15 (but must provide gifts to anyone – not only in exchange for plan enrollment!)

- **Insurance Agents MAY NOT:**
 - Provide or pay for meals
 - Offer money or gift cards in any amount or
 - Offer gifts worth more than \$15

Medicare Marketing Rules

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- Insurance Agents **MAY:**
 - ▣ Contact the following people by phone:
 - People currently enrolled in a plan with their company
 - People who have given the company “permission” to contact them
 - People formerly enrolled in their plan to conduct a disenrollment survey
 - ▣ Market plans through direct mail

Medicare Marketing Rules

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- Insurance Agents **MUST** make an appointment with before visiting someone in their home
- *Scope of Sales Appointment Confirmation Form*
 - ▣ Documentation showing scope of the appointment
 - ▣ Plan representatives cannot market health care products beyond what beneficiary agrees to discuss
- Insurance Agents **MAY NOT:**
 - ▣ Market or sell non-health care related products (annuities, investments) during an appointment

Medicare Marketing Rules

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- Insurance Agents and plans **MAY NOT:**
 - “Cold” Call, use door-to-door marketing, or market plans using any other unsolicited contact
 - Enroll a person in a plan without his/her permission
 - Lie to get a beneficiary to enroll in a plan
 - Sign someone up for a plan over the phone unless that person called them

Medicare Marketing Rules

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- ❑ Plans are responsible for agent and broker conduct
- ❑ State insurance departments also regulate agents and brokers
- ❑ No “cherry-picking” allowed
- ❑ Insurance Agents **MUST**:
 - ▣ They must be licensed, certified, or registered under state law
 - ▣ They must follow appointment rules
 - ▣ They must be properly trained and pass a test

Common Violations

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- Mass enrollment at events
 - Last fall we have an agent set up in a WY casino enrolling people without their knowledge.
- Providing misleading or incorrect information
 - Making false claims about benefits or the plan's network of providers
- Senior Housing complexes
 - Agents going into housing complexes without appointments and going door-to-door



How can the SMP Help?

SMPs Provide:

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- Community Education
 - ▣ Senior Centers
 - ▣ Large or small group settings
- Media Outreach
 - ▣ Newspaper articles
 - ▣ Fact sheets
- One-on-one Assistance

Assisting with Marketing Issues

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- SMPs can use their connection to CMS to report issues
- Marketing violations will be sent to:
 - ▣ CMS
 - ▣ State Department of Insurance
- Individual Enrollment Issues sent to CMS
 - ▣ Many times these can be fixed if sent to the correct place quickly

Finding an SMP

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- There is an SMP in every state, DC, Guam, Puerto Rico and the U.S. Virgin Islands
 - ▣ All provide statewide coverage.
- To find your local SMP go to:
 - ▣ www.smpresource.org



The screenshot shows the website interface for finding a State Member Plan (SMP). On the left, there is a dark blue navigation menu with the following items: "About Us", "Find Help", "Consumer Protection", "Health Care Fraud", "Media", and "Resources for SMPs". The main content area features a large portrait of an elderly woman with white hair. To the right of the portrait, the text reads "Educating & Empowering Seniors to Prevent Health Care Fraud & Abuse". Below this text is a map of the United States and the phrase "Locate an SMP in your area" with a dropdown arrow. At the bottom, there is a "Select State" dropdown menu currently set to "Alabama" and a "search" button. The background of the main content area is dark blue with a faint image of a group of seniors.

SMP Contact Information

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Questions?