



Contacting Medicare Beneficiaries

CMS provides guidance for agents contacting Medicare beneficiaries. Here are some key points you should be aware of when reaching out:

- Not permitted to market through unsolicited direct contact — often referred to as “cold calling.”
- May contact individuals who gave permission for a plan or agent to contact them, (i.e., signed Consent-to-Contact form, filling out a Business Reply Card (BRC), etc.).
- Unsolicited text messaging, voicemails, and telephonic contact are strictly prohibited by CMS.
- Email can be used to contact beneficiaries — provided every email contains an opt-out function to remove recipients from receiving future emails.
- May contact current enrollees and discuss plan business, including those in non-Medicare products. Although can’t market 2022 plans prior to October 1 under the pretense of plan business.
- May provide contact info (such as a business card) at educational and marketing/sales events when an individual wants to refer a friend or relative. A “referred” person must contact the agent or plan directly.

See our [guide to Contacting Medicare Beneficiaries](#) for more information. También disponible en español: [Contactando a los beneficiarios de Medicare](#)

Consent to Contact (C2C)

Agents must have permission before they can make marketing calls. As mentioned above — cold calling, door-to-door canvassing, and other activities are strictly forbidden.

How does an agent get that permission?

- Client fills out a Business Reply Card (BRC).
- Beneficiary completes [Consent-to-Contact \(C2C\) form](#) during an educational or marketing/sales meeting, retail or community event, etc. También disponible en español: [consentimiento para contacta](#)
- Client responds to an email or completes a web form requesting an agent contact them.
- Beneficiary emails a Plan or Part D Sponsor and asks for a return call.
- Beneficiary contacts a customer service representative and requests an agent contact them.

Providing Consent-to-Contact does not replace the Scope of Appointment (SOA). Rather, it’s the first step needed prior to contacting a beneficiary. Once an appointment is scheduled, an agent must have the client sign an SOA *before* discussing Medicare products.

Websites and Social/Electronic Media

View our [Websites and Social/Electronic Media](#) guide for basic guidelines to agent/agency websites and social media posts. This guide is intended to assist agents in complying with the CMS

Medicare Communications and Marketing Guidelines. También disponible en español: [Sitios Web y Redes Sociales/Electrónicas](#)

Reminder: It's important in checking with and obtaining necessary approvals from Carriers before using or creating a website or social media post that includes a Carrier's name, products, brand, or logo.

CareFree Compliance Team

CareFree has a full Compliance team who will assist, provide support, and review your Medicare marketing or communication materials.

Why send your materials (Flyers, brochures, newspaper ads, websites, etc.) for review with the CareFree Compliance team?

- Our small team has a combined total with over 55+ years of Medicare compliance experience.
- We understand Medicare business needs, and why specific materials are created.
- We ensure materials are compliant with CMS guidelines. This helps protect agent businesses and livelihoods by avoiding reputational harm, monetary fines, and possible suspension of marketing privileges.
- We keep beneficiaries protected from misleading marketing communications.
- Reviews are FAST and FREE — not something you often hear these days! Material is generally returned within 2 business days so a compliance review won't slow you down and provides piece of mind that materials are compliant.

How does an agent submit educational or marketing materials for Compliance review?

Submit them through your [CareFree Broker Manager](#). Only submit *multi-carrier* marketing materials. Materials specific for only one Carrier must go directly through that Carrier for review.

The CareFree Compliance team can only assist with reviewing generic, multi-carrier materials.

Questions? Reach out to your [Broker Sales Manager](#) for assistance planning your AEP strategy and getting Ready To Sell for 2022. You may also contact the [Compliance Team](#) with any compliance specific questions.

CareFree Insurance Services, Inc.

We're here for you!

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