



MEDICARE-MEDICAID COORDINATION OFFICE

DATE: November 30, 2018

TO: South Carolina Medicare-Medicaid Plans

FROM: Lindsay P. Barnette
Director, Models, Demonstrations, and Analysis Group

SUBJECT: South Carolina MMPs: Release of Final Contract Year 2019 State-specific Marketing Guidance

On August 3, 2019, and August 20, 2018, CMS issued preliminary marketing and communications guidance to Medicare-Medicaid Plans (MMPs) through two HPMS memoranda, "Contract Year 2019 Marketing and Beneficiary Communications Guidance for Medicare-Medicaid Plans" and "Revised Contract Year 2019 Marketing and Beneficiary Communications Guidance for Medicare-Medicaid Plans." These memoranda address the most critical issues related to submission of marketing materials for Contract Year (CY) 2019 and the Annual Election Period (AEP). Attached to this memorandum is the final CY 2019 State-specific Marketing Guidance for Medicare-Medicaid Plans (MMPs) operating in the South Carolina capitated financial alignment model demonstration. The State-specific Marketing Guidance has been jointly updated by CMS and South Carolina and will be applicable to all marketing for CY 2019 benefits.

The State-specific Marketing Guidance provides information only about those sections of the Medicare Communications and Marketing Guidelines (MCMG) that are not applicable or that are modified for MMPs in South Carolina; therefore, this guidance document should be considered an addendum to the CY 2019 MCMG. MMPs should carefully review the CY 2019 MCMG (see <https://www.cms.gov/Medicare/Health-Plans/ManagedCareMarketing/FinalPartCMarketingGuidelines.html>), in conjunction with the State-specific Marketing Guidance, as the requirements of the MCMG that are not otherwise modified by this document apply to MMPs in South Carolina.

The CY 2018 State-specific Marketing Guidance sections have been updated to align with the new MCMG sections and incorporate guidance we previously provided in our August 3, 2018, and August 20, 2018, HPMS memoranda. In addition, the CY 2019 State-Specific Marketing Guidance includes requirements that newly modify certain sections of the MCMG for MMPs in South Carolina.

The following summarizes additional changes to the CY 2019 State-specific Marketing Guidance for MMPs in South Carolina that were not included in the August HPMS memoranda:

- **Introduction/MMP Member Services Toll-Free Number:** Clarifies that the exceptions to the requirement to include the MMP member services toll-free number includes envelopes, educational materials not geared towards members, and third-party publications (e.g., CDC guidelines, dietary information, disease management).

- **Section 30.6 – Electronic Communication Policy:** Clarifies that MMPs may initiate electronic communications only with current enrollees and that they must follow the guidance in section 30.6 of the MCMG.
- **Section 30.8 – Product Endorsements/Testimonials:** Clarifies that MMPs cannot use negative endorsements or testimonials about other plans, including MMPs.
- **Section 40.2 – Marketing Through Unsolicited Contacts:** Clarifies that MMPs are allowed to initiate electronic communications only with current enrollees.
- **Section 60.1 – Provider-Initiated Activities:** Clarifies that answering questions or discussing the merits of a plan or plans, including cost sharing or benefit information, is prohibited.
- **Section 60.2 – Plan-Initiated Provider Activities in the Healthcare Setting:** Clarifies that the MCMG guidance in this section applies only to activities for MMP in-network providers.

For any questions about the contents of this memorandum, please contact your Contract Management Team or the Medicare-Medicaid Coordination Office at mmcocapsmodel@cms.hhs.gov.