

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, Maryland 21244-1850



CENTER FOR BENEFICIARY CHOICES

TO: Medicare Advantage Organizations and Prescription Drug Plan Sponsors

FROM: Abby L. Block
Director, Center for Beneficiary Choices (CBC)

RE: Submission of Sales Event Data for Medicare Advantage Organizations (MAOs) and Prescription Drug Plan Sponsors (PDPs)

DATE: September 20, 2007

On May 25, 2007, CMS released a memo, “Ensuring Beneficiary Understanding of Private Fee-for-Service Plans, Actions and Best Practices” that outlined CMS’s new requirements for submitting information on planned PFFS marketing and sales events. We are collecting this information to assist us in ensuring that the provision of information to beneficiaries on access, network, and payment features of Private Fee for Service (PFFS) Plans is accurate. However, we also believe that providing similar information on planned marketing and sales events for other plan types is just as important to ensure the accurate representation of information to beneficiaries. Given that the start of marketing for the 2008 plan year is rapidly approaching, we have decided to extend the requirements to provide CMS with planned sales events and marketing activities to all MAOs and PDPs sponsors.

Consistent with the requirements on PFFS plan sponsors, each MAO and PDP Sponsor must provide their CMS Plan Manager or Account Manager with listings of planned marketing and sales events. CMS will accept the reports for non-PFFS plan events up to September 26, 2007 and must list all events planned for October 2007. Beginning the 20th of each successive month, information for all events scheduled for the following month must be reported. We request that organizations use the attached spreadsheet (refer to **Attachment 1**) for the reporting and specifically note the following:

- Data for events conducted by both employed and contracted sales representatives is required.
 - All data fields are required to be populated in the spreadsheet, including third-party agents.
 - Please make sure that date information is entered in a ‘dd/mm/yy’ standardized format.
- The Plan Manager or Account Manager must be notified of updates to the schedule as appropriate. CMS encourages plans to maintain an up-to-date schedule of sales events on the plan’s website.
- Each submitted spreadsheet should be accompanied by a signed and dated attestation from the organization’s Medicare program vice president or director, attesting to best knowledge,

information and belief, that the information provided to CMS is accurate as of the date submitted.

As stated in the 2008 Call Letter, CMS remains vigilant in protecting Medicare beneficiaries, and we continue to focus our compliance oversight activities on ensuring the accurate provision of information about the various plan offerings to Medicare beneficiaries. We note that CMS has the authority to impose intermediate sanctions and penalties, including the freezing of all marketing and enrollment, civil money penalties, and other enforcement actions as described in Federal regulations at 42 C.F.R. §422 and §423 Subpart K and O, against organizations violating Medicare program requirements. We are closely monitoring beneficiary complaints and other marketplace-based information to determine whether compliance and /or enforcement actions are warranted.

We appreciate your cooperation in ensuring that Medicare beneficiaries are well-informed of their health care options. You may direct any questions regarding this requirement to your CMS Plan Manager or Account Manager.