



**MEDICARE DRUG & HEALTH PLAN CONTRACT ADMINISTRATION GROUP**

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MEMORANDUM

DATE: May 16, 2013

TO: PACE Organizations  
State Administering Agencies

FROM: Danielle R. Moon, J.D., M.P.A.  
Director

SUBJECT: Issuance of Program of All-Inclusive Care for the Elderly Marketing Guidelines

We are pleased to announce the release of the new Program of All-Inclusive Care for the Elderly (PACE) Marketing Guidelines, which provide marketing guidance specific to PACE Organizations and State administering agencies. These guidelines are attached; you will be notified when they have been posted to our website.

We released the draft guidelines for public comment on October 19, 2012 and received more than 80 comments from 12 organizations. We accepted and incorporated the majority of these comments. We also responded directly to individual comments that were specific to a site or situation and did not warrant a change to the guidelines.

After an analysis of all comments received, we have made a number of revisions and clarifications to the final guidelines in the following sections:

- 20 – General Marketing Requirements
- 40 – Prohibited Practices
- 80 – Potential Participant Contact
- 90 – The Marketing Review Process
- 140 – Social Networking Sites
- Appendix 1 – Definitions

Some sections of the guidelines received numerous comments. We received comments requesting clarification of Section 40, Prohibited Practices, with respect to contacting participants for referrals. We have revised this section to limit direct contact to a participant for the purpose of gaining a referral.

With respect to Section 90, The Marketing Review Process (formerly section 100), some commenters questioned whether PACE Organizations may continue to use previously approved marketing material. The PACE Organization may continue to use approved material to the

extent that the material meets CMS requirements. PACE Organizations are responsible for ensuring that all material used in the marketplace complies with CMS requirements. If previously approved marketing material no longer meets CMS requirements, the PACE Organization must revise the material and resubmit for CMS approval. Another commenter suggested that model material be subject to a shorter review period or none at all. CMS will consider the suggestion for a shorter review period of model material in future revisions to the guidelines.

We received many comments on the Social Networking Sites section (now section 140). We revised this section to allow individual posts, which are meant to be frequent and interactive, to be used without being submitted for review and approval. CMS expects that PACE organizations will monitor public comments to ensure that inaccurate information is removed immediately.

Please contact your CMS Account Manager for marketing questions specific to your PACE Organization. General questions about the Marketing Guidelines may be submitted to [CMS\\_PACE\\_Comments@cms.hhs.gov](mailto:CMS_PACE_Comments@cms.hhs.gov).

cc: National PACE Association