

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



MEDICARE DRUG & HEALTH PLAN CONTRACT ADMINISTRATION GROUP

DATE: June 21, 2023

TO: Medicare Advantage Organizations, Medicare Advantage - Prescription Drug Organizations, Section 1876 Cost Plans, Prescription Drug Plan Sponsors, Employer/Union-Sponsored Group Health Plans

FROM: Kathryn A. Coleman
Director

SUBJECT: HPMS Marketing Module Updates

The Centers for Medicare & Medicaid Services (CMS) will be updating the Health Plan Management System (HPMS) Marketing Module to streamline the marketing review process, effective Monday, July 24, 2023. Medicare Advantage (MA) organizations and Part D sponsors should advise their Third-Party Marketing Organizations (TPMOs) of these changes as needed.

CMS is updating the review periods for the following media types:

- Provider Office Materials and Radio Scripts: The review period will change from File and Use to a 45-day prospective review.
- Enrollment Scripts and Telephonic Sales Scripts: The review period will change from a 45-day prospective review to File and Use.

CMS reminds MA organizations and Part D sponsors that, consistent with 42 CFR §§ 422.2261(b)(3) and 423.2261(b)(3), a material submitted in HPMS under File and Use is “accepted” and may be distributed five days following its submission, provided the plan certifies the material complies with all applicable standards. All other marketing materials not designated by CMS as qualifying for File and Use framework must be prospectively reviewed by CMS and approved or disapproved during the 45-day review timeframe described in §§ 422.2261(b)(2) and 423.2261(b)(2). If the material is not approved or disapproved within 45 days, it is deemed approved. Pursuant to 42 CFR §§ 422.2261(d) and 423.2261(d), CMS may also retrospectively review all materials, as well as review File and Use materials within five days of submission, to ensure compliance with applicable requirements. Based on a CMS review, we may determine that a document must be revised, or the use must be discontinued.

If you have any questions, please email Marketing@cms.hhs.gov, and copy your Account Manager.