



MEDICARE-MEDICAID COORDINATION OFFICE

DATE: December 17, 2018

TO: Ohio Medicare-Medicaid Plans

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

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

On August 3, 2018, 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 Ohio capitated financial alignment model demonstration. The State-specific Marketing Guidance has been jointly updated by CMS and Ohio 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 Ohio; 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 Ohio.

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

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

- **Section 30.3 – Non-English Speaking Population:** Clarifies that Ohio's prevalent languages are Spanish and any language that is the primary language of five (5) percent or more of households of Medicaid managed care enrollees in the plan's service area.

- **Section 40.2 – Marketing Through Unsolicited Contacts:** Clarifies that MMPs may not make unsolicited direct contact with prospective enrollees using electronic communications (e.g., email).
- **Section 60.1 – Provider-Initiated Activities:** Clarifies that Ohio MMPs may not allow contracted providers to answer questions or discuss the merits of a plan or plans, including cost sharing and benefit information.

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