



## Broker Medicare Advertising Material Submission Process

Objective of this document is to provide you with a tool to help ensure that 1) your Medicare advertising materials meet the CMS guidelines, and 2) help ensure a smooth material approval process.

### 1. Advertising Material Submission

- 1.1. First, determine if your advertising material needs to be submitted to Health Net for further review/approval prior to being used in the marketplace.

#### 1.1.1. **Approval Required - Broker must submit material for approval if it satisfies one or more of the following criteria:**

- Material mentions Health Net name, logo, plan name or benefits
- No reference to Health Net or any other plan sponsor is made (including name, logo, plan name or benefits), but material explains the benefits of enrollment in an MA plan or MA with prescription drug (MA-PD) plan, or explains rules that apply to enrollees.
- No reference to Health Net or any other plan sponsor is made (including name, logo, plan name or benefits), but material explains how Medicare services are covered under an MA plan or MA-PD plan, including conditions that apply to such coverage.
- No reference to Health Net or any other plan sponsor is made (including name, logo, plan name or benefits), but material will be used for documenting beneficiary scope of appointment or agreement to be contacted. Such materials (e.g., Lead Cards and Business Reply Cards) merit a 45-day CMS Review in addition to Health Net review).
- Mentions seminars where sales representatives are present; or
- Envelopes contain information beyond the required mailing statements as outlined in the CMS Medicare Marketing Guidelines, section 50.16 (not including addressee information and plan logo).

NOTE: Material referencing Medicare Annual Enrollment Period and timeframe (October 15–December 7) alone do not require submission, provided no information set forth in 1.1.1 is included.

#### 1.1.2. **No Approval Required Broker need not submit material for approval if it satisfies one or both of the following criteria:**

- Material does not satisfy any of the criteria outlined in section 1.1.1
- Material was developed and provided by Health Net as part of the “broker toolkit”

NOTE: All marketing materials not requiring Health Net’s review must still comply with CMS minimum requirements and are subject to audit. Minimum CMS requirements are as follows: “Materials should not mislead or confuse beneficiaries by words, symbols, logos or terminology that would imply or give the false impression they are endorsed/approved/authorized by Medicare or any other federal agency or program. In addition, the materials should include accurate terminology and timelines set forth by CMS or any other federal agency referenced.”

- 1.2. To help expedite the review process, Health Net has created a Broker Medicare Marketing Material Review Checklist to ensure CMS requirements are met. Applicable Broker Medicare Marketing Materials should be reviewed against this checklist.



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- 1.3. Complete and enclose checklist along with your advertising material and email both to [MedicareMktgReview@Healthnet.com](mailto:MedicareMktgReview@Healthnet.com)

**NOTE: The material cannot be used in the marketplace until Health Net has given its express written approval.**

## 2. Material Review Timing

### 2.1. CMS-Accepted Materials

Materials intended to attract or appeal to a potential enrollee, which contain enough detail to entice a potential enrollee to request additional information, may qualify for a CMS-accepted status.

Brokers must allow a **minimum of 45 calendar days** for review of these materials from the date the completed checklist and marketing materials are submitted to Health Net. **Annual Enrollment Period (AEP) materials qualifying for CMS Accepted status must be submitted to Health Net no later than October 15 of each year.** AEP materials submitted after October 15 cannot be processed. The 45-calendar-day timeline is based on:

- Materials qualifying for CMS-accepted status
- Three rounds of revisions, which include three business days for each round

### 45-Day CMS Review of Materials

Brokers must allow a **minimum of 90 calendar days** for review of materials that include explanations of benefits operational procedures, cost-sharing, or other features of the plan, from the date the completed checklist and marketing material are submitted to Health Net. The 90 calendar days provides 45 days for Health Net's review and 45 days for CMS review (Health Net will submit material to CMS on behalf of participating Brokers). Materials requiring CMS review must be submitted no later than June 1 in order to be reviewed for use during the current CMS contract year.

- 2.2. To help expedite the review process, please ensure:
- 2.2.1. Completed checklist is enclosed with your submission, and
- Your material meets the requirements outlined in the checklist material attestation section.

## 3. Resources/Help

- 3.1. For questions regarding this process or checklist, please email Health Net at [MedicareMktgReview@HealthNet.com](mailto:MedicareMktgReview@HealthNet.com). All other inquiries should be directed to your Broker Account Executive.

- 3.2. CMS marketing guidelines can be found at:

<http://www.cms.gov/Medicare/Health-Plans/ManagedCareMarketing/FinalPartCMarketingGuidelines.html>

Under the heading "Downloads", click on link CY 2016 Medicare Marketing Guidelines[PDF, 748KB]