

**MEMO #:** 2021-121  
**Date:** November 19, 2021  
**To:** Agency Managers & Agents  
**From:** Marketing & Sales Department  
**Subject:** Telephone Consumer Protection Act (“TCPA”)

In the past few years, there have been increasing lawsuits and threats of litigation against insurance carriers based on alleged violation of the Telephone Consumer Protection Act (“TCPA”) and other related laws by agents marketing their policies. All agents are required to comply with all applicable laws and regulations in the solicitation of our insurance products. This includes the TCPA, national and state Do-Not-Call (“DNC”) list prohibitions, the Truth in Caller ID Act, and other state and federal laws prohibiting or restricting telemarketing activities (collectively, the “TeleMarketing Laws”).

As an independent contractor, it is your responsibility to ensure that you and those who work with you (including lead generators) are in compliance with the Telemarketing Laws to the extent you or they engage in telemarketing activities in which a Prosperity Life Group company, service, or product might be mentioned or offered. A copy of Prosperity Life Group’s Policy Statement as to Telemarketing Law compliance may be found on the Agent Portal under General Information, Training & Regulations, “Compliance with the TCPA and Do Not Call List.”

As a condition of continuing to do business with us, we are now requiring your agreement to the terms of a TeleMarketing Compliance Agreement, which documents your agreement to the following understandings and expectations: (1) you will fully comply with the TeleMarketing Laws; (2) you are responsible for compliance by all employees, contractors or subagents working in your call center or whom you otherwise control, including any third-party lead generators (“representatives”); and (3) you will defend, indemnify, and hold the company and its affiliates harmless against any claim or demand arising from an alleged violation of the Telemarketing Laws by you or your representatives.

**If you have not already signed this Agreement as part of the onboarding process, you will be directed to a link to review and consent to e-sign this agreement when you log in to the Agent Portal. You may also receive an e-mail with a link to the same. If we have not received your consent promptly after request, we reserve the right to suspend your credentials until this outstanding requirement is fulfilled. Failure to agree to the terms of the TeleMarketing Compliance Agreement may ultimately lead to termination of your contract or rejection of your pending appointment request with us.**

You are responsible for familiarizing yourself with the requirements of the TeleMarketing Laws and how they impact your business. These laws cover all telemarketing activities (including calls, texts, call transfers, acceptance of call transfers, etc.). Compliance is required even when a solicitation is made in response to an incoming call stemming from a third-party generated lead. You are responsible for ensuring that any lead generators you use are in compliance with all applicable Telemarketing Laws before using their leads to solicit our products.

The TCPA is the primary federal law that applies to such activities. It contains numerous restrictions on when, where, how, and to whom telemarketing calls may be placed. The TCPA is complex. If you are unfamiliar with its requirements, consult an attorney. You can also find general information on the Federal Communications Commission consumer website: <https://www.fcc.gov/tags/telephone-consumer-protection-act-tcpa>. Please be aware that some states have additional consumer protections as well as separate Do Not Call lists.