

## Permission to call: When do you need it?

Prior to calling a consumer, make sure you are well versed in Permission to Call (PTC) guidelines. This reference tool provides you with common situations when an agent may or must not contact a consumer telephonically. If you still have questions, contact your sales leadership or send an email to [Compliance\\_Questions@uhc.com](mailto:Compliance_Questions@uhc.com).

Prior to calling a consumer, you must obtain PTC. PTC may be obtained by receiving a completed Business Reply Card (BRC), lead card, or bConnected lead. PTC is always limited to the method of contact and product scope defined in the BRC, lead card, or bConnected lead. **Unsolicited direct contact with a consumer is prohibited.**

### Agent prohibited activities

**Prohibited** activities include, but are not limited to, the following:

- Bait-and-switch strategies - making unsolicited calls about other business as a means of generating leads for Medicare plans.
- Calls to former members who have disenrolled or to current members who are in the process of voluntarily disenrolling to market plans or products. Members who are voluntarily disenrolling from a plan should not be contacted for sales purposes or be asked to consent in any format to further sales contacts.
- Calls, texts, or emails to consumers who attended a marketing/sales event, unless PTC to do so was obtained.
- Calls, texts, or emails to consumers to confirm receipt of mailed information unless PTC to do so was obtained.
- When conducting an educational event, agents may not schedule personal/individual marketing appointments or obtain PTC.
- Approaching a consumer in a common area such as a parking lot, hallway, lobby, or sidewalk.
- Depositing marketing material (e.g., flyer, door hanger, leaflet) outside a residence, under a door to a residence, on a vehicle, or similar.
- Telephoning or emailing a consumer whose contact information was gained from a referral or purchased lead list. Calls based on referrals. If a consumer/member would like to refer a friend or relative to an agent, the agent may provide contact information, such as a business card, to the consumer/member so they may give it to the friend or family member. In all cases, a referred consumer needs to contact the agent directly. If the agent has been offered a mailing address, they may provide information via direct mail as it is not a form of unsolicited contact.

### Agent compliant activities

Agents **may** conduct the following activities:

- Contact members they personally enrolled to promote other Medicare plan types, (e.g., contact their Prescription Drug Plan (PDP) members to market a Medicare Advantage Prescription Drug (MA-PD) plan and discuss plan benefits.
- Contact **their members** to market educational events.
- Call consumers who have expressly given PTC, for example, by filling out a BRC. This permission applies only to the entity from which the individual requested contact, for the duration of that transaction, for the scope of product, (e.g., MA-PD plan or PDP), previously discussed, or indicated in the reply card.
- Return phone calls or messages, as these are not unsolicited\*.
- Contact a consumer who submitted a business reply card\* (BRC) or online contact form\*. Telephonic contact is prohibited if the consumer did not provide a telephone number or the telephone number provided is invalid.

- Follow up with a consumer who requested an Enrollment Guide\* either in-person at a marketing/sales event, online, telephonically, or by BRC (Note: permission must be obtained at the time the guide was requested).
- UnitedHealthcare (i.e. the plan sponsor) may contact any existing UnitedHealthcare member, who meets the criteria listed below. An agent, who is not the Agent of Record, may only call an existing member in one of the following categories if PTC has been delegated to the agent. Delegation of PTC occurs when UnitedHealthcare provides the member's contact information (i.e. name and phone number) to the EDC, ICA, or ISR agent. The agent may only use the member's Protected Health or Personal Identifying Information (PHI/PII) to the extent necessary to conduct business on behalf of UnitedHealthcare. Any other use of PHI/PII obtained through delegated PTC is prohibited.
  - An aging-in Commercial member.
  - A Medicare Advantage (MA) or Prescription Drug Plan (PDP) member to discuss other MA or PDP products.
  - A Medicare supplement insurance plan member to discuss MA or PDP products.
  - Medicaid members enrolled in a UnitedHealthcare product.
- Contracted (ICA/EDC) agents may contact their current clients with whom they have a current, active contract or business relationship in other products (e.g., in-force life policy, homeowners, or dental insurance). (Note: If the agent is in the process of establishing a new relationship, permission to contact must be obtained and documented.)

#### **Important Notes:**

- A Scope of Appointment (SOA) form is **not** the same as PTC. Please refer to the SOA Job Aid for additional information on SOA.
- PTC rules **also apply** to email contact. Agents should review the email contact information in the Agent Guide.
- PTC is needed **any time** an agent is contacting a consumer by phone or email and **the agent placing the call is not** the agent of record.
- PTC only applies to the individual who gave the permission. For example, a husband cannot grant the agent PTC to contact his wife. Each spouse must provide individual PTC, which typically is done by separate signature lines on a BRC.

\*Contact is always limited to the products identified in the permission to call.