



Sales Policy Job Aid

Permission to Contact and Lead Generation

Permission to Contact

What is Permission to Contact (PTC)?

Permission to Contact (PTC) is permission given by the consumer to be called or otherwise contacted by a representative of UnitedHealthcare for the purpose of marketing a UnitedHealthcare Medicare Solutions product, including any Medicare Advantage (MA), Prescription Drug Plan (PDP), or Medicare supplement insurance product.

You must:

- Obtain PTC prior to making direct contact with a consumer, including in-person, telephonic, email, or text.
- Renew PTC to make on-going direct contact with a consumer.
- Comply with the federal Do-Not-Call Registry and federal and state calling hours.
- Cease contact and update PTC documentation if a consumer retracts or withdraws PTC or UnitedHealthcare retracts or withdraws delegated PTC.

What is the Scope of PTC?

PTC must be considered limited in scope (i.e. only the products identified in the PTC), short-term, event-specific, and may not be treated as open-ended permission for future contacts. PTC is always limited to the method of contact permitted (e.g., permission to call, permission to email), scope of products, and timeframe contained within the permission.

PTC and Scope of Appointment (SOA) are **not** the same and are not interchangeable. Having a SOA form does not provide PTC and vice versa.

How long is PTC Valid?

PTC is valid for 9 months after the date received. However, PTC expires 90 days after the date received for consumers requesting information on Medicare supplement insurance products or is on the federal Do-Not-Call Registry.

What are Acceptable Contacts?

PTC must be obtained prior to making direct contact with the consumer in-person or by telephone, email, or text. PTC must be renewed in order to make on-going direct contact and is always limited to the method of contact permitted (e.g., permission to email), scope of products, and time frame contained within the permission. You must comply to the extent applicable with the National Do-Not-Call Registry and abide by federal and state calling hours. When PTC is documented, you may:

- Telephone a consumer who requested a return call.*

- Contact a consumer who submitted a compliant Business Reply Card (BRC).*
 - Telephonic contact is prohibited if the consumer did not provide a telephone number or the telephone number provided is invalid or incomplete. For example, you may not search the internet or a phone directory in order to find a telephone number.
- Contact a consumer who submitted an online contact form.*
 - Telephonic contact is prohibited if the consumer did not provide a telephone number or the telephone number provided is invalid or incomplete.
- Follow up with a consumer who requested an Enrollment Guide* either in-person at a marketing/sales event, online, telephonically, or by BRC (Note: PTC must be obtained at the time the guide is requested).

*Contact is always limited to the product identified in the PTC.

You need specific permission to email a consumer. You must obtain Permission to Email prior to emailing a consumer. Additionally, the consumer must also have the option to opt out of receiving the emails. Simply having an email address does not permit an agent to use it until permission has been obtained and permission is not to be interpreted as open-ended, but is short-term and event specific. For example, if a consumer provides his/her email address in the LEAN application to be emailed the enrollment receipt, you must not use the email address without Permission to Email for other purposes.

You may compliantly postal mail a consumer.

You may contact current clients, with the intent to discuss UnitedHealthcare Medicare Solutions MA, PDP, or Medicare Supplement plans, their current clients with whom they have a current, active contract or business relationship in other products (e.g., in-force life, homeowners, or dental insurance policy). You must be able to provide proof of a current, active relationship with the client upon request.

If you are the Agent of Record (AOR), you may contact a member to discuss his/her current plan without obtaining additional PTC.

UnitedHealthcare (i.e. the plan sponsor) may contact any existing UnitedHealthcare member, who meets the criteria listed below:

- An aging-in Commercial member
- A Medicare Advantage, Prescription Drug Plan (PDP), or Medicare Supplement Insurance plan member to discuss other Medicare Advantage, PDP products or Medicare Supplement Insurance products
- Medicaid members enrolled in a UnitedHealthcare product

UnitedHealthcare may delegate PTC for an existing UnitedHealthcare member to an agent. Delegation of PTC occurs when UnitedHealthcare provides you with a member's contact information (i.e., name and phone number). You may only use the member's Protected Health Information or Personally Identifiable 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.

What are Unsolicited Contacts?

Unsolicited contact is contact with a consumer that was not requested or initiated by the consumer. Unsolicited contact with consumers is prohibited. Unsolicited contact includes in-person (e.g., door-to-door marketing), telephonic (e.g., outbound telemarketing), email, leaving electronic voicemail messages on answering machines, and text messaging.

In the absence of documented PTC, you must not:

- Approach a consumer in a common area such as a parking lot, hallway, lobby, or sidewalk.
- Deposit marketing material (e.g., flyer, door hanger, leaflet) outside a residence, under a door to a residence, on a vehicle, or similar. However, you may leave materials at a consumer's residence when you had a properly scheduled personal/individual marketing appointment and obtained Scope of Appointment (SOA) form, but the consumer was a no show.
- Telephone, text, or email a consumer whose contact information was not compliantly obtained.
- Telephone, text, or email a consumer who attended a marketing/sales or educational event or to whom a marketing item was mailed, even if the consumer requested the item, unless the consumer gave permission for a follow-up call with documented PTC.
- Use contact information obtained from bConnected for a consumer with whom you do not have a relationship unless UnitedHealthcare has delegated PTC and authorized an outbound call as part of a marketing campaign.
- Use contact information provided by UnitedHealthcare to market non-UnitedHealthcare products, including non-health related products.
- Engage in any "bait-and-switch" tactics, by marketing a product that does not require PTC in order to convert the marketing effort to a product that does require PTC. For example, marketing a non-UnitedHealthcare Medicare supplement insurance product through cold calling, text, email, or door-to-door and then converting the marketing effort to any UnitedHealthcare Medicare Solutions product including Medicare supplement insurance plans.
- Engage in any "warm transfers" to or from an individual that is not credentialed to market a specific UnitedHealthcare Medicare Solutions product. For example, having a disability attorney warm transfer a consumer to you in order for you to market a Dual

Special Needs Plan or having a Medicare supplement insurance agent warm transfer a consumer to you so you may market Prescription Drug Plan to the consumer.

- Contact a former member who voluntarily disenrolled or current member in the process of voluntarily disenrolling to market a product or plan. In addition, you must not ask a disenrolling member for PTC to market plans in the future. Note: plan sponsors are permitted to contact their former members after the disenrollment effective date to conduct disenrollment surveys for quality improvement purposes.

Other PTC Topics

Are there PTC Forms Available?

UnitedHealthcare does not make a branded or generic Permission to Call (PTC) form available. However, you may use a compliant Business Reply Card (BRC) or lead card.

Visit the Agent Toolkit (accessible via the Distribution Portal) to see what branded materials with a BRC or branded lead cards are available. Alternatively, you may develop generic BRC or lead cards to use. If you develop generic materials, the recommendation would be to submit the materials to the Compliance Mailbox at compliance_questions@uhc.com to ensure the materials are generic.

How do I Document and Store PTC?

PTC documentation must be retained and available to UnitedHealthcare upon request for the remainder of the selling year plus ten additional years.

UnitedHealthcare does not provide a PTC tracking template for agent use. You are responsible for the documentation and storage of your PTC.

If you have access to bConnected, you must document and update PTC in the bConnected system.

If you do not have access to bConnected, you must document and update PTC in an alternate method. Examples of alternate PTC documentation methods:

- Retain lead cards or Business Reply Cards (BRC)
- Document PTC in a consumer file
- Create and document PTC in a spreadsheet

Can I store PTC electronically?

Yes, PTC may be stored electronically. All electronic storage systems must be secure, encrypted, and any suspected or known privacy incidents must be reported to

UnitedHealthcare. Employees of UnitedHealthcare are only permitted to store PHI/PII on a company server rather than a laptop or other device.

- Below is a list of recommended features and functionality the full-disk encryption solution should offer:
 - Full-disk encryption (user data, operating system, temporary files, erased files)
 - AES-256 bit encryption
 - Pre-boot authentication
- Report privacy incidents to:
 - UnitedHealthcare Government Programs Privacy Office at uhc_privacy_office@uhc.com
 - Distribution Compliance at Compliance_Questions@uhc.com
 - The UnitedHealth Group Ethics & Compliance Help Center at 1-800-455-4521

Cross Selling

Cross selling of non-healthcare related products during marketing activity related to Medicare Advantage or Part D is strictly prohibited. You must not market non-health related products (e.g., annuities or life insurance) while marketing a Medicare-related product.

PTC for a non-healthcare related product cannot include Medicare-related products. You would require PTC specifically for Medicare-related products.

It is permissible to discuss other health related products (dental and/or hearing) while marketing a Medicare Advantage (MA) plan.

Lead Generation

What are Compliant Leads?

Compliant means include:

- The consumer submitted a compliant Business Reply Card (BRC) (paper or electronic) or lead card that provides a valid telephone number or email address and included scope of products. If you are in the External Distribution Channel (EDC) and receive leads from your up-line, you should request documentation from your up-line that proves that the leads were obtained compliantly and are actionable.
- The consumer placed an inbound call, text message, email, or voice message requesting a return call to discuss Medicare insurance products.
- The consumer is a current client, in which you have a current, active contract or business relationship in another product.

Non-compliant means include, but are not limited to:

- If you receive the consumer's telephone number or email address from an individual other than the consumer. For example, a provider gives a list of patients to you or a consumer provides you with his/her neighbor's contact information.
- If you use other sources (i.e. internet search) to look-up a telephone number or email address if the contact information provided is not accurate or in-service.
- If you market Medicare insurance products to a consumer who is not a current client and the contact information was obtained through a different product line or business. For example, if you are a financial planner and you use non-client contact information obtained through your financial planning business for marketing Medicare insurance products.

You are responsible for ensuring any lead obtained, including leads provided your up-line, meet all compliance regulations prior to acting on the lead to market any UnitedHealthcare Medicare Solutions product.

What is the definition of a Lead and an Actionable Lead?

A lead is the name and contact information of a consumer who might be contacted to market UnitedHealthcare Medicare Solutions products. To be considered actionable, the lead must be obtained through means compliant with the Centers for Medicare & Medicaid Services (CMS) regulations and UnitedHealthcare rules, policies, and procedures. Specifically, PTC has been obtained through compliant methods and has been documented.

What are my Responsibilities in Validating Leads?

Prior to use, you must validate that the lead was obtained through compliant means. In addition, you must document or obtain documentation that validates that the lead source has qualified the lead(s) to ensure that the consumer, whose contact information has been provided, proactively requested contact for the purpose of marketing Medicare insurance products. Only compliantly obtained leads may be acted upon through direct methods of contact. Agent assisted enrollments that result from the use of non-compliant leads may result in corrective and/or disciplinary action.

Can I use Social Media to Lead Generate?

No, it is not compliant to use social media platform's interactive functionality as a means to communicate with consumers and/or members. In addition, you are prohibited from posting any plan or benefit information or displaying branded marketing materials on a social media platform.

Lead Source

UnitedHealthcare will not provide approval to use a third-party lead generation company or service. You hold the accountability for ensuring any PTC or any contact information provided or received, comply with any applicable state laws that govern these activities. We recommend consulting with legal counsel in your state as needed.

Lead Referral Programs

UnitedHealthcare Sponsored Program

- UnitedHealthcare currently does not sponsor a lead referral program.

AARP Medicare Supplement

- **Inquiry Program**
 - This weekly referral campaign is designed to pass lead information (consumers requested information on AARP Medicare Supplement) to bConnected for agent follow-up and is available in selected states.
- **Appointment Requests**
 - Consumers seeking more information can request for a local agent to set up an appointment with them to review AARP Medicare Supplement Insurance Plans. These leads are collected nationwide and sent to bConnected on a daily basis.

Agent Initiated Programs

- You may choose to use a third party lead generating option, but are responsible for ensuring the leads are obtained compliantly, within compensation limits, do not violate any applicable fraud and abuse laws, including the federal anti-kickback statute, and are compliant with any and all applicable state and federal regulations. All PTC guidelines apply if designing and/or conducting an outbound call campaign using a purchased or otherwise obtained lead list. In the absence of documented PTC for a consumer on a lead list, only postal mail can be used to market UnitedHealthcare Medicare Solutions products to the consumer.

Compensation in Exchange for Lead

- You are not permitted to provide any gift (e.g., cash, gift card) to a consumer/member in exchange for a referral (i.e. contact information including name and telephone number/email).
- You must comply with CMS regulations related to compensation limits, commission splitting, and/or payments to non-licensed/appointed agents. UnitedHealthcare recommends agents consult with local legal counsel to determine the compliance of any compensation arrangements they make with referrers.

Lead Collection Station

Lead boxes and/or collection stations must comply with all CMS regulations and UnitedHealthcare rules, policies, and procedures related to obtaining PTC, contacting consumers, use of marketing materials, and marketing/sales activities. The following guidelines apply to the use of lead collection boxes and/or collection stations:

- The lead box or collection station must be secured in such a manner as to prevent the unauthorized access and use of any consumer's contact information. The collection box must be locked and either integrated in a fixture or attached to a fixture in such a manner that prevents unauthorized removal of the box and/or its contents.
- Permission from the venue must be obtained prior to placing a lead card box or collection station in any location.
- Rules pertaining to marketing materials in provider locations apply (e.g., stations cannot be placed where consumer receive care or wait to receive care).
- Only UnitedHealthcare and/or CMS approved lead cards and marketing materials are permitted.
- Information provided on lead cards must be considered private and must only be used for the purpose intended.
- Providers must not steer consumers to the lead box or collection station.
- Providers must not handle in any manner the leads collected (e.g., empty lead box, forward leads to the agent).
- You must check on and empty lead box or collection station no less than weekly.
- You must immediately report to UnitedHealthcare any suspected or known breach or theft of the lead box, collection station, and/or individual lead cards.

Provider Activities

The term "provider" is a broad term that includes, but is not limited to physicians, staff, hospitals, nursing homes, pharmacies, and vendors, contracted with the plan to provide services to plan members, and sub-contractors.

Providers must remain neutral parties in assisting plan sponsors with marketing to consumers or assisting with enrollment decisions. Providers not being fully aware of plan benefits and costs, could result in consumers not receiving information needed to make an informed decision about their health care options. To the extent that a provider can assist a consumer in an objective assessment of their needs and potential options to meet those needs, they may do so.

Providers may:

- Provide to consumers the names of plan sponsors with which they contract and/or participate.

- Provide consumers with information and assistance in applying for Low Income Subsidy (LIS).
- Make available and/or distribute plan marketing materials (not including Enrollment Guides) in non-patient care areas, including plan affiliation materials for a subset of contracted plans as long as providers offer the option of making available and/or distributing marketing materials from all plans in which they participate.
- Refer their patients to other sources of information, such as State Health Insurance and Assistance Programs (SHIPs), plan marketing representatives, State Medicaid Office, local Social Security Office, and CMS.

Providers must not:

- Offer or accept Scope of Appointment (SOA) forms, Business Reply Cards (BRC), or lead cards, or call an agent on behalf of a consumer
- Distribute or accept enrollment applications for Medicare Advantage/Medicare Advantage-Prescription Drug plans or Prescription Drug Plans.
- Make phone calls, or direct, urge, or attempt to persuade consumers to enroll in a specific plan based on financial or any other interest of the provider.
- Mail marketing materials on behalf of a plan or agent.
- Directly offer anything of value to induce consumers/members to select them as their provider.
- Offer inducements to persuade consumers to enroll in a particular plan or organization.
- Conduct health screening as a marketing activity.
- Accept compensation directly or indirectly from the plan or agent for conducting consumer enrollment activities.
- Identify, provide names, or share information about existing patients with the plan or agent for marketing/sales purposes.
- Distribute marketing materials, including agent business cards, within an exam room setting.
- Steer or attempt to steer a consumer/member toward a particular agent or agency unless the agent/agency is appointed with all of the provider's affiliated carriers.

You must not steer or attempt to steer a consumer/member toward a particular provider, or limited number of providers, offered by either the plan sponsor or another plan sponsor, based on the financial interest of the provider or agent.

Compliance Questions

For compliance questions, email compliance_questions@uhc.com

PTC Frequently Asked Questions

Scenario	Guidelines
When is PTC required?	PTC is required in order to contact a consumer/member to discuss UnitedHealthcare Medicare Solutions product, including any MA, PDPD, or Medicare supplement insurance product.
Does UnitedHealthcare provide PTC forms for agent use?	No, UnitedHealthcare does not make a PTC form available for agent use. The recommended method for capturing PTC is to utilize a compliant Business Reply Card (BRC) or lead card.
How can I maintain PTC throughout the duration of my relationship with a consumer?	You must renew or obtain new PTC every time you have contact with a consumer/member in order to make on-going direct contact with a consumer/member. You should obtain PTC for the next contact during every current contact.
Are there any required disclaimers for generic materials designed to obtain PTC?	There must be a mechanism to positively affirm PTC, for example, using a disclaimer like “By returning this card, you agree that an authorized representative or licensed insurance agent may contact you by phone, e-mail or mail to answer your questions and provide additional information about Medicare Advantage, Part D or Medicare Supplement Insurance plans.” In addition, the generic material must include the disclaimer, “This is a solicitation for insurance.” For additional information please refer to the Generic Materials Job Aid available on the Distribution Portal.
Does a sign-in sheet provide PTC?	No, a sign-in sheet does not provide PTC. The sign-in sheet does not contain the appropriate verbiage to be PTC.

Lead Generation Frequently Asked Questions

Scenario	Guidelines
Can I lead generate at a Marketing/Sales Event?	Yes, you may use compliant methods to lead generate at a marketing/sales event.
Can I lead generate at an Educational Event?	No, lead generation is prohibited during an educational event. You are prohibited from distributing marketing materials, collecting lead cards, setting follow-up appointments, distributing business cards, or similar lead generation activities.
Can I place lead generating marketing materials on a bulletin board or similar location?	Yes, you may compliantly post compliant marketing materials on a bulletin board and like places. You must have permission from the venue to do so and cannot participate in unsolicited contact. The venue cannot actively distribute the material on your behalf, but may display the material if they choose to.
Can I place a lead collection station in a common area?	You may place lead collection stations in common areas (such as cafeterias, community rooms or conference rooms), where it is compliant to display other marketing materials. You may display marketing materials in a waiting room or an area where a consumer does not receive care. The lead collection station may not be placed near the pharmacy window area. Additionally, you must obtain permission from the location prior to leaving the lead collection station and/or any marketing materials.

Lead Generation Frequently Asked Questions

Scenario	Guidelines
Can I use a third party lead generating option?	You may choose to use a third party lead generating option, but are responsible for ensuring the leads are obtained compliantly, within compensation limits, do not violate any applicable fraud and abuse laws, including the federal anti-kickback statute, and are compliant with any and all applicable state and federal regulations.
Can a provider share or provide a list of their current clients and their contact information?	No, providers cannot provide existing client contact information to you for lead generating or marketing purposes.
Can I request and use contact information for a consumer's friends and family?	No, calling a consumer, who has not directly provided you with prior Permission to Call, would be considered unsolicited contact. The recommendation would be to provide the consumer with your business card to share with friends and family.
Can I offer a gift to a consumer/member who shares my business cards with others?	No, you must not offer or provide any gift to a consumer/member in exchange for a referral.
Can I cold-call or go door-to-door to market Medicare Supplement plans?	Unsolicited contact regulations apply to all products in the UnitedHealthcare Medicare Solutions portfolio. Therefore, you cannot engage in unsolicited contact when marketing any UnitedHealthcare Medicare Solutions product. Permission to Call is required to market UnitedHealthcare Medicare Supplement, Medicare Advantage, or Prescription Drug Plans.