



WellCare Marketing Regulations: Provider Based Marketing Tool

<b>General Guidelines</b>	
<b>Permissible</b>	<b>Not Permissible</b>
<p>1. WELLCARE <u>can</u> include provider logos or reference providers as “ WellCare partners” in CMS approved marketing materials.</p> <ul style="list-style-type: none"> <li>o Must be printed/produced in accordance with the way materials were submitted to CMS.</li> </ul>	<p>1. WELLCARE <u>cannot</u> generate leads, conduct sales presentations or sales events nor physically distribute or collect enrollment materials or consent to contact forms directly from patients in a provider office treatment area or waiting room or any place that is not clearly separate or less than 25 ft. from such an area.</p> <ul style="list-style-type: none"> <li>a. Providers or their staff <u>cannot</u> accept consent forms on behalf of the plan or steer beneficiaries to the plan.</li> </ul>
<p>2. WELLCARE <u>can</u> make CMS-approved sales materials and/or consent forms passively available in non-treatment areas as long as the PROVIDER extends the privilege to all participating plans.</p> <ul style="list-style-type: none"> <li>o Consent-to-contact cards should be completed by beneficiaries, but may be completed by a plan representative if requested by the beneficiary.</li> <li>o Marketing materials such as posters, product brochures, etc. may be displayed in healthcare provider waiting rooms as long as the area is considered a common area.</li> </ul>	<p>2. WELLCARE <u>cannot</u> be present or conduct any marketing or sales activities in areas that could be construed as encroaching on the path to, or path from, a waiting, treatment or other inappropriate area.</p>
<p>3. WELLCARE <u>can</u> conduct formal, informal and educational events or participate in health fairs in appropriate <u>common areas</u> such as conference rooms or cafeterias (observing snack rules) that are <u>either</u> clearly separate from and/or are at least 25 ft. from treatment areas, drug dispensing areas, waiting areas or other areas that patients receive or wait for medical services.</p> <ul style="list-style-type: none"> <li>o All sales events must be properly advertised in Salesforce* and Reported to CMS.</li> </ul> <p>Common areas include hospitals or nursing home cafeterias, community or recreational rooms and conference rooms.</p> <p><b>NOTE:</b> See the <i>Event Definition Tool</i> Educational, Formal and Informal event definitions.</p>	<p>3. Violation of Event Management policy and procedures.</p>
<p>4. WELLCARE RVs <u>can</u> be present at provider locations during Formal, Informal and Educational Events and are reported to CMS:</p> <ul style="list-style-type: none"> <li>o When hosting Formal or Informal Sales Events, RVs may be used to host compliant 1:1 presentations.</li> <li>o When table/booth coverage must be maintained during the scheduled event time and should not be abandoned to conduct a 1:1 presentation.</li> </ul>	<p>4. WELLCARE RVs <u>cannot</u> be used to maintain a continuous presence at provider locations.</p>
<p>5. PROVIDERS <u>can</u> host (e.g., provides a location for) a sales event – including on a health topic – as long as it’s advertised and in Salesforce* and Reported to CMS accordingly where provider does not steer, endorse or market a specific plan in any way and offers the same opportunities to all plans he/she participates with.</p> <ul style="list-style-type: none"> <li>o PROVIDER <u>can</u> host or participate in an educational event that WellCare attends, as long as it’s advertised as such and all pertinent rules around educational events are followed.</li> </ul>	<p>5. PROVIDERS <u>cannot</u> host or participate in a non-medical/health related event (e.g., dance, party) that prominently features the provider for the purpose of endorsing or promoting a particular plan.</p> <p>6. Providers may not steer potential enrollees to WellCare. Providers must remain neutral when assisting with enrollment decisions and should not offer scope of appointment forms.</p> <p>7. PROVIDERS <u>cannot</u> make outbound calls to their patient list on behalf of any plan.</p> <p>8. <i>We</i> are responsible for the actions of providers when their activities related to our business. Please use every opportunity to educate our provider partners on how the new CMS rules impact them – especially in any matters involving us.</p>



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<b>Provider Direct Mail Guidelines</b>	
<b>Permissible</b>	<b>Not Permissible</b>
<p>1. Communications to Patient Panels</p> <ul style="list-style-type: none"> <li>o Initial Communication to Patient Panel           <ul style="list-style-type: none"> <li>• Provider Affiliation Mailer: A Provider within the WCG network is permitted to send the CMS-Approved, WellCare <u>New</u> Affiliation direct mail package that announces and informs their patients of their acceptance of WellCare Health Plans. This “New” affiliation mailer may only be sent <u>one time</u> and is not required to reference the other plans they accept. This affiliation mailer is allowed to include an option for their patient beneficiaries to attend a WellCare Sales Event, as a means to gain information about our plans and benefits. CMS prefers providers do not discuss plans and benefits with their patients, as they are not representatives of the MAO.</li> </ul> </li> <li>o Recurring Communications to Patient Panel           <ul style="list-style-type: none"> <li>• Providers <u>can</u> conduct subsequent mailings directly to their patient base <u>only</u> if the material references all participating plans. WellCare will not create mail pieces to accommodate other plans.</li> <li>• Provider Affiliation Mailer – RECURRING: A provider is permitted to send the CMS-Approved, WellCare “<u>Recurring</u> Affiliation” direct mail package that informs their patients about their acceptance of WellCare Health Plans. This “Recurring Affiliation” mailer may be sent more than one time and must reference the other plans they accept. In the event WellCare Health Plans is the only contracted MAO, the letter will reference the provider’s additional acceptance of Original Medicare. As a WellCare business policy, “Recurring Affiliation” mailers may only be sent to a provider’s patient panel once per quarter.</li> </ul> </li> </ul>	<p>1. General Guidance – NEW or RECURRING:</p> <ul style="list-style-type: none"> <li>o WellCare associates should never handle or have access to a Provider’s patient mail file. Field Producers should coordinate the execution of such direct mail campaigns according to WellCare business policy and the defined marketing program processes. WellCare should never directly reimburse a provider for their mailing or marketing expenses.</li> <li>o WELLCARE <u>cannot</u> send direct mail to prospective beneficiaries from a provider’s patient list to promote sales or other events – unless utilizing an Initial Communication Mailer</li> <li>o PROVIDERS <u>cannot</u> send direct mail to prospective beneficiaries from their patient lists to only promote a WellCare sales or other event (must promote all plans they participate with) after in initial communication</li> <li>o PROVIDERS <u>cannot</u> include the WellCare name or logos on any materials that are not CMS-approved, don’t include all plans they participate with, and have been approved by WellCare Marketing leadership</li> <li>o WellCare will not create mail pieces to accommodate other plans logos</li> <li>o WELLCARE <u>cannot</u> make any payment to a provider that is not for the provision of health care services pursuant to a WellCare network provider contract. This includes, but is not limited to:           <ul style="list-style-type: none"> <li>o Donations or financial contributions to providers for the purposes of funding events or activities</li> <li>o Purchasing or reimbursing advertising for a provider</li> <li>o Sponsoring value-added benefits outside the standard process</li> <li>o Payment of fees for use of provider venues for marketing, or reimbursement for personal or business expenses</li> </ul> </li> <li>o If a third party vendor is utilized, WellCare must ensure the vendor is not providing reimbursement to the provider.</li> <li>o Provider- Recurring Only – The “Recurring Affiliation” mailer is <u>not</u> allowed to include an option for their patient beneficiaries to attend a recurring WellCare Sales Event.</li> <li>o PROVIDER – WELLCARE may not be referenced or included in provider materials unless: (a) their materials have been submitted to CMS as WellCare marketing material AND (b) promote ALL plans they accept.</li> </ul>
<p>2. All Providers / General Prospecting (outside their current panel)</p> <ul style="list-style-type: none"> <li>o WELLCARE <u>can</u> send direct mail to prospective beneficiaries from a “general mail list” to promote sales or other events to beneficiaries in a provider’s vicinity.</li> <li>o Can be co-branded if a CMS-approved piece includes partner “bracketing.”</li> <li>o PROVIDERS <u>can</u> send direct mail to prospective beneficiaries from a “general mail list” (i.e. NOT their patient list) to promote an event for their participating plans.</li> <li>o Co-Marketing Activities for General Prospecting: As opposed to a provider’s marketing and communications directed toward their current patient panel, it is recognized that providers may also have an interest in acquiring new patients. As such, they may execute on campaigns aimed at “general prospecting.” Such campaigns may include, but are not limited to, mass media (i.e. newspaper, radio, tv, flyers, outdoor), event marketing (e.g. Open Houses, Community Events) and direct response (i.e. Direct Mail). It is permissible for WellCare to participate as a partner in such marketing campaigns as a co-sponsor, keeping in mind:           <ul style="list-style-type: none"> <li>• Providers must offer similar opportunities to other MAO’s they are contracted with.</li> <li>• Marketing materials or messages must be CMS Approved, WellCare versions.</li> <li>• Event Marketing guidelines are followed – see <i>Event Definition Tool</i> for further details.</li> </ul> </li> </ul>	