

APPENDIX Q

Guidelines for Marketing Activities



DATE: May 28, 2024

**TO: MEDICARE ADVANTAGE (MAOs) COMPANIES CONTRACTED TO
PROVIDE SERVICES TO MEDICARE PLATINO BENEFICIARIES
GUIDELINES FOR MARKETING ACTIVITIES**

RE: GUIDELINES FOR MARKETING ACTIVITIES - APPENDIX Q 2025

This communication is to inform the guidelines for marketing activities.

All MAOs contracted to provide services to Medicare Platino Beneficiaries (D-SNP) shall abide by the Centers for Medicare and Medicaid Services (CMS) rules for marketing as stated in 42 CFR 422. 2260 and the Medicare Communication and Marketing Guidelines.

The Puerto Rico Health Insurance Administration (PRHIA) does not permit the performance of any sales activities, presentations, distribution and/or acceptance of enrollment applications in any Puerto Rico Government Agencies, Public Corporations, or other government facilities. Similarly, PRHIA does not allow any MAOs to perform marketing activities within fifty (50) meters of the entrance of a Puerto Rico Medicaid Office.

As per article 4.7.2 of the contract, MAOs may conduct sales activities, including sales presentations, the distribution of marketing materials, and the distribution and collection of enrollment forms in common areas of a healthcare setting. Common areas in a healthcare setting include, but are not limited to common entryways, vestibules, waiting rooms, hospital or nursing home cafeterias, and community, recreational, or conference rooms. Contracted providers or facilities may be used to distribute marketing materials as long as the provider or facility distributes or makes available marketing materials for all plans in which the provider or facility participates. Marketing materials may only be distributed to individuals who meet criteria for enrollment.

On the other hand, as established in article 4.7.1 of the contract, MAOs may not be marketed in restricted areas. These restricted areas generally include, but are not limited to; exam rooms, hospital patient rooms, treatment areas where patients interact with a provider and his/her clinical team and receive treatment (including dialysis treatment facilities), and pharmacy counter areas (where patients interact with pharmacy providers and obtain medications). Communication materials, as opposed to marketing materials, may be distributed, and displayed in all areas of the healthcare setting.

Autorizado por la Oficina del Controlador Electoral OCE-S-A-2024-00267

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25-00003




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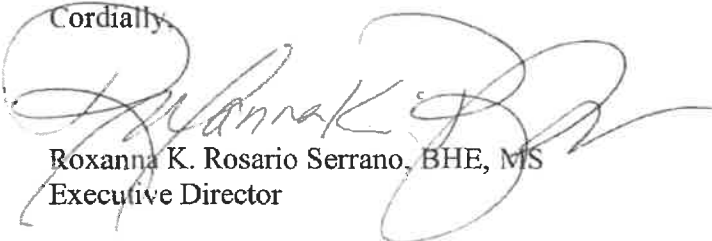
Appointments with beneficiaries residing in long-term care facilities (including nursing homes, assisted living facilities, board and care homes, etc.) are only permitted upon request by the beneficiary.

PRHIA will sanction or establish monetary penalties for any MAO that does not comply with these guidelines, as permitted by contract in articles 16 and 17, as well as applicable laws and regulations. If an employee or authorized representative of PRHIA detects a MAO's sales representative performing marketing activities in a manner contrary to these guidelines, PRHIA's authorized representative may perform, but is not limited to, the following actions:

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1. Collect "Medicare Platino" marketing material.
 2. Solicit the name and position of the MAO sales representative.
 3. Verify that the sales representative is informed about the "Platino General Information" and the "Guidelines for Marketing Activities".
 4. Take pictures of the MAO marketing activities or of the sales point.
 5. If necessary or in cases that required, PRHIA's employee or authorized representative may measure the distances between the point-of-sale activities and the unauthorized areas in steps, to demonstrate noncompliance.
 6. Other actions that may be necessary or required.

PRHIA expect strict compliance with the aforementioned guidelines.

Cordially,



Roxanna K. Rosario Serrano, BHE, MS
Executive Director

c. Norberto Negron Diaz, Esq.
Chief Compliance Officer

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Contrato Número



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