CIGNA Medicare Services®

Compliance Alert

Product Year: 2009

Compliance Alert: 11

Medicare Scope of Sales Appointment Requirements

Agents must document all individual/personal sales events by using a CMS-approved Sales Appointment Form or by providing a recorded oral agreement.

Background:
In September, 2008, the Centers for Medicare & Medicaid Services (CMS) provided guidance to ensure beneficiaries have accurate information to make informed choices about their Medicare benefits without being pressured.

Effective October 1, 2008, the beneficiary must agree to the scope of the appointment prior to any marketing appointment, and that agreement must be documented. This documentation may be in writing, using the CMS-created Scope of Sales Appointment form, or recorded by phone. If recorded by phone, the agent must use a CMS approved script. These forms and recordings are to be kept on file for 10 years per CMS record retention requirements.

Please contact us at BrokerCompliance@CIGNA.com if you have any questions.

Frequently Asked Questions

Q: When do I need to document a personal/individual Medicare sales event?
A: An individual must agree and the agent must obtain documentation of this agreement **prior** to any personal/individual Medicare sales meeting. If it is not possible to obtain a beneficiary's signature prior to the marketing appointment, you may have the beneficiary sign the form at the beginning of the appointment.

Q: In what form must I document the personal/individual Medicare sales event?
A: The documentation for personal/individual sales events must be in writing, in the form of a signed agreement by the beneficiary, or a recorded oral agreement. The format of the document must be either a CMS approved Scope of Appointment form or, if the agent is recording the oral agreement, a CMS approved script must be used. A plan or agent documenting the agreement is not acceptable, whether done in writing or using an electronic contact documenting system. The CIGNA Scope of Appointment form can be found at http://www.cigna.com/sites/cignamedicare/pdf/Non_Model_Sales_Appt_Form.pdf.

Q: If I cannot obtain the Scope of Appointment form prior to meeting with the individual, can I have the individual sign the form at the beginning of the sales event?
A: Any Scope of Appointment form should be completed by the beneficiary and returned prior to the appointment. If it is not possible to obtain a beneficiary's signature prior to the marketing appointment, you may have the beneficiary sign the form at the beginning of the appointment.

Q: When did the requirement to document a personal/individual Medicare sales event become effective?
A: The rule became effective on **October 1, 2008**. All appointments made on or after this date must comply with this rule.

Q: Do I need to have a signed Scope of Appointment form when meeting with existing members/clients to discuss Medicare products?
A: Yes, you are required to properly document the individual's agreement prior to any appointment. If it is not possible to obtain a beneficiary's signature prior to the marketing appointment, you may have the beneficiary sign the form at the beginning of the appointment.

Q: If I am meeting with an individual outside of their home, do I need a signed Scope of Appointment form?
A: Yes, if you are meeting with an individual in an office, a coffee shop, restaurant or other similar location, you are still required to properly document the beneficiary's agreement prior to the appointment. If it is not possible to obtain a beneficiary's signature prior to the marketing appointment, you may have the beneficiary sign the form at the beginning of the appointment.

Q: If an individual has agreed to a meeting to discuss a PDP product and signed the Scope of Appointment form, can I discuss Medicare Advantage plan options if asked by the individual?
A: When an individual asks to discuss another product type, you must have the beneficiary sign a new Scope of Appointment form for the new product type and then you may continue the marketing appointment.

Q: Do I have to use CIGNA's CMS-approved Scope of Appointment form or CIGNA's CMS-approved phone script to document a personal/individual Medicare sales event where I will be discussing CIGNA products?
A: No, you may use any CMS approved Scope of Appointment form or script to document your personal/individual sales event. The form/script must, however, be approved for use by CMS and must contain the following mandatory data elements:

- Individual name, address and phone number
- Location for the individual to clearly initial the plan type(s) that will be discussed
- All product types described distinctly and separately, with a description following each.