



November 2005

Medicare Marketing Standards of Conduct

Agents, brokers and Aetna sales representatives may not engage in activities which have the potential to mislead, confuse or misrepresent Aetna Medicare products. When selling Aetna Medicare products, you must comply with all state licensure laws, as well as all applicable MA and Part D laws, CMS policies, including CMS Marketing Guidelines, and all federal health care laws (including civil monetary penalty laws). The list below highlights certain prohibited activities that agents, brokers and Aetna-employed sales representatives may not engage in. You acknowledge that you are aware of these prohibited activities and agree to refrain from engaging in them, and to otherwise comply with all applicable legal requirements.

Among other requirements, agents, brokers and Aetna-employed sales representatives:

- May not claim recommendation or endorsement by the Centers for Medicare & Medicaid Services (CMS) or that CMS recommends that Medicare beneficiaries enroll in the plan;
- May not make any statement, claim, or promise that conflicts with, materially alters, or erroneously expands upon the information contained in CMS-approved materials;
- May not use providers or provider groups to distribute printed information comparing benefits of different health plans, unless the materials have the concurrence of all Medicare Advantage Organizations' (MAO's) involved and unless the materials have received prior approval from CMS;
- May not accept enrollee applications in provider offices or other places where health care is delivered. Sales presentations may be conducted and enrollment applications may be distributed and collected only in common areas of a health care setting, away from where care is delivered;
- May not offer gifts or payment as an inducement to enroll in an Aetna Medicare product;
- May not engage in any discriminatory marketing practice, such as attempting to enroll Medicare beneficiaries from higher income areas, without a similar effort in lower income areas;
- May not conduct door-to-door solicitation of Medicare beneficiaries;
- May not ask for personal information (i.e., Medicare number, bank account or credit card numbers) during sales presentations;
- May not send e-mails to a Medicare beneficiary, **unless** the beneficiary agrees and gives their express consent to receive e-mails related to Aetna's health benefits plans, products, services, and/or educational information related to health care at the time the beneficiary is providing his/her email address. The consent must be documented; and
- Must comply with the National-Do-Not-Call Registry, as well as applicable state telemarketing "Do Not Call" regulations, honor "do not call again" requests, and abide by Federal and State calling hours.
- May not take advantage of a Medicare lead to sell other insurance products to a Medicare beneficiary for which the beneficiary may not be suited, to the extent such activity would violate state licensure laws.