

Policy Title:	Sales and Marketing Compliance and Disciplinary Standards		
Policy Number:	CG CC-0.2	Effective Date: 1/24/2011	Last reviewed 12/12/2019 Most current revision: 12/13/2018
Purpose:	To provide guidelines regarding Sales and Marketing		
Regulation Reference:	The CMS 2010 Sales and Marketing Guidelines, Chapters 2,3,4		
Written by:	Cathy Gatlin		
Approved by:	The Copeland Group Compliance Committee		
Date:	05/24/2011		
Compliance Officer Signature:	<i>Cathy Gatlin</i>		

Policy

The following procedures will be implemented by all Copeland Group Agents and Management with regards to Medicare Advantage sales activities.

II. POLICY STATEMENT

Copeland Insurance Group is committed to excellence in all aspects of the Insurance business. We are committed to conducting business on a personal level to our clients ensuring that they receive the correct information to help them make an informed health care decision. Our continued growth depends upon our integrity and the integrity of those who represent us.

We pledge to protect the privacy of consumers and preserve the confidentiality of the consumer records, and to protect them from high pressure or misleading sales tactics. Copeland Insurance Group is dedicated to operating with integrity and transparency in its dealings with Medicare beneficiaries, providers, competitors, and our regulatory agencies.

We require each employee, temporary employee, employee sales agent and contracted agent/broker under the Copeland Insurance Group hierarchy to pledge to the same standard of integrity within this Sales and Marketing Compliance Policy and the Carrier or Copeland Insurance Group Code of Conduct. Failure to comply with this Copeland Group Policy and the carrier or Copeland Code of Conduct will have consequences as outline within this Copeland Insurance Group Compliance Policy.

Copeland Insurance Group pledges to make every effort to ensure quality performance and compliance with all applicable policies, laws, and regulations.

Sales and Marketing – Compliance related to Sales and Marketing

III. POLICY PURPOSE (Scope) Sales and Marketing

To prevent CMS Sales and Marketing violations

When it is determined that an employee, temporary employee, employee sales agent, or contracted sales agent/broker is not adhering to the CMS, and Copeland Insurance Group, requirements governing Sales and Marketing activities, reasonable disciplinary steps will be taken to ensure compliance with all applicable policies, laws and regulations.

IV. POLICY DEFINITIONS

To develop and distribute written compliance **Sales and Marketing** standards, procedures and practices to guide Copeland Insurance Group employees, temporary employees, employee sales agents, and contracted sales agents/brokers.

Business Organization – Copeland Insurance Group Sales and Marketing

1. Enrollments that are received by or on behalf of a Business Organization; and
2. Qualifies the consumer by confirming they meet all CMS eligibility requirements

Example: Enrolled in Medicare part A and B, resides in the plan service area, does not have end stage renal disease.

Medicare disability, dual eligible, LIS, SNP as defined in Medicare approved MA plans and CMS guidelines

- a. Selling in an ethical manner on behalf of a Business Organization:
- b. Conducting one's self with courtesy

Example: Taking advantage of every compliance training, compliance emails, classroom training, compliance webinars, seeking one on one training as needed.

Example: Always showing respect for the rights and reasonable request of the consumer as defined in the Copeland Code of Conduct and CMS guidelines.

V. POLICY PROVISIONS and EXHIBITS (Procedure)
Management and Accountability

1. Every individual who conducts business for or on behalf of Copeland Insurance Group is responsible for understanding and complying with applicable laws and regulations that protect the consumer from high pressure sales tactics by way of example, misleading or confusing the consumer, sympathy appeal, or using exaggerated statements.
2. All sales will be conducted in a manner consistent with applicable laws in the countries in which we do business.
3. Every employee, employee sales agent and contracted sales agent that conducts business on or behalf of the Copeland Insurance Group must adhere to the following requirements:
 - Agents must be licensed and contracted.
 - Must pass annual AHIP and required Health Plan certification modules.
 - Must continue ongoing compliance trainings as instructed by Copeland Insurance Group or our Health Care Plan Partners.
 - Must be appointed by the company in accordance with state appointment laws.
 - Must comply with the CMS Medicare Marketing Guidelines.
 - Must comply with Copeland Group Code of Conduct and our Health Care Partner's Code of Conduct.
 - Must respond if notified by Health Care Plan or Copeland Insurance Group of any compliance violation and cooperate with the compliance investigation by disclosing all information and records that are relevant to or would assist in the investigation.
 - Must adhere to any corrective & disciplinary action imposed by the Health Care Plan Partner's Disciplinary Action Committee and Copeland Insurance Group Compliance Committee.
 - Must keep Copeland Insurance Group updated with any personal contact information that may have changed since date of initial contract.
 - Must keep all insurance license's both resident and nonresident renewed as well as paying all appointment fees if additional states to market are added. Be mindful of and complete additional state specific certifications as needed.

- Each manager and team leader in Copeland Insurance Group is responsible for monitoring and ensuring compliance with this Policy by the business operations for which the manager is responsible and for ensuring that this Policy is communicated to each Copeland Insurance Group employee that is responsible for agent contracting and/or training.
- Copeland Insurance Group and every individual who conducts business for or on behalf of Copeland Insurance Group is responsible for and adhering to the CMS and Copeland Insurance Group procedures, standards and guidelines governing Medicare Sales and Marketing activities.

4. Monitoring and Enforcement

Copeland Insurance Group Compliance Committee: An independent committee overseen by a Compliance Officer that reviews all compliance issues and makes final determinations of disciplinary actions to be applied in accordance with this policy and as warranted by the facts and circumstances of the violation. The committee shall also review appeals related to agents found at fault and may choose to challenge disciplinary actions, terminations, or penalty assessments imposed by Health Care Plans.

Copeland Insurance Group Compliance Committee: The Copeland Compliance Officer and Compliance Committee shall review all disciplinary recommendations and make final determinations of disciplinary actions to be applied in accordance with this policy and as warranted by the facts and circumstances of the violations.

The number of violations will be measured over a twelve-month period beginning October 1 and ending September 30 of the following year. The measurement of the number of violations shall restart at the beginning of each measurement period.

5. Other Sales and Marketing Policies

This policy operates in conjunction with other sales and marketing policies of Copeland Insurance Group, and our Health Care Plan Partners and requires compliance with such other sales and marketing compliance/disciplinary policies.

VI. Copeland Insurance Group Compliance, trainers and marketing teams' duties and responsibilities:

- Prevention of non-complaint performance:
 - Compliance training video and other compliance tools available on our website or we forward the trainings in Power Point form.
 - Available each business day to answer compliance questions.
 - We encourage our agents to call us before committing to a Sales and Marketing event, so that we may go over the compliance guidelines for such events.
 - Ensure our Copeland employees, temporary employees, employee sales agents, and contracted sales agents are educated and updated by webinars, emails, and classroom trainings.
 - We forward examples of complaint materials for advertising senior meetings, newspaper ads, and business cards, and marketing material in general.
 - Copeland Insurance Group Compliance requires every employee sales agent and contracted sales agent to attend at least one classroom or webinar compliance training, or carrier compliance training per year. (This can be satisfied through the carriers certification each year). Non- agent employees are required to complete annual training that includes the CMS FW&A, General Compliance training and the Copeland Insurance Group Code of Conduct.
 - Our Compliance team and trainers will work with agents on a one and one basis as needed, providing ride-a-longs as needed due to rapid disenrollment's, high volume of sales in a short period of time, enrollment issues or complaints. Additional ride-a-longs will be scheduled if warranted by deficiencies.
 - Copeland Insurance Group's enrollment department is available to assist agents with filling out the enrollment form correctly to avoid pending enrollments and possible compliance issues.
 - We assign each agent to a Marketing team to assist with any issues that may arise.

- Audits for every department of Copeland Insurance Group to be performed quarterly by our Compliance Office to evaluate that the expected level of our compliance guidelines are being maintained and to enforce correction as needed

Compliance Tracking:

- All types of violations regardless of the severity will be tracked and monitored with our software program, disciplinary action form, compliance training acknowledged form, ride a long form and termination tracking form.
- When a violation occurs, a hard copy of each incident will be placed in the employee or agent's file along with the signed Compliance training acknowledgement form and the date the training was completed.
- Every violation will result in some type of disciplinary action, under the direction of the Carrier or Copeland Compliance Officer.
- Tracking will also include: Rapid disenrollment's, and aggressive amounts of enrollments during a short period of time.

VII. Process: Violation

CMS Violation: A violation shall be considered to have occurred when it is determined, in Copeland Insurance Group's and/or our Health Care Plan Partner's sole discretion, that a Sales Entity has not complied (intentionally or unintentionally) with CMS requirements related to the sales and marketing of the MA and Part D products. The number of violations will be measured over a twelve-month period beginning October 1 and ending September 30 of the following calendar year. The measurement of the number of violations shall restart at the beginning of each measurement period.

Step 1: First Violation

Following the carrier's remediation, Copeland Insurance Group may send a written warning detailing the specific violation and any additional required remediation which may include, but not limited to, re-training, probation, and/or ongoing monitoring as determined by the Compliance committee and may include an oral counseling discussion between the Compliance Office and the temporary employee, employee, employee sales agent or the contracted sales agent/broker. The purpose of this warning is to assure full understanding of the rule in question as well as reasons why the Company must require employee, temporary employee, employee sales agent and/or contracted sales agent/broker to adhere to Copeland Insurance Group and our Health Care Plan Partners quality and compliance standards.

This document will be maintained in the employee, temporary employee, employed sales agent and/or contracted sales agent/broker file. If the specific problem addressed in the written notice is completely corrected, then no further action is required.

Step 2: Second Violation

The second step may become necessary in the event an employee, temporary employee, employee sales agent, or contracted agent/broker has another serious deficiency, whether it's different or a repeat of the original problem. The employee, temporary employee, employed sales agent and/or contracted sales agent/broker will be advised that the problem is becoming more serious and cannot be allowed to continue, and a second notice detailing the problem will be given. In addition, the issue will be referred to the Compliance Committee for review and determination of the appropriate corrective actions to be applied up to and including termination. This will be documented on a Disciplinary Action form_which will also include the plan for improvement and consequences of further violations. This form will be issued by management and placed in the employee, temporary employee, employed sales agent and/or contracted sales agent/broker file.

Step 3: Termination

In the event of a further violation or of a collection of different failures to meet the Copeland Insurance Group and our Health Care Plan Partners requirements, the Company may determine that termination of the employee, temporary employee, employee sales agent and/or contracted sales agent/broker is warranted.

Termination will result when the Company in its sole discretion determines that separating from the employee, temporary employee, employed sales agent and/or contracted sales agent/broker is the best course of action to ensure compliance with Copeland Group and our Health Care Plan Partners sales and marketing policies and quality standards. This decision can be made with or without application of progressive discipline, depending upon the nature and severity of the offense. All termination decisions for violations of Copeland Insurance Group policies shall be received and made by the Compliance Officer, following a committee meeting with a unanimous vote.

In additional to the above steps 1-3 there are certain violations that will be rated as a level 1 violation.

Level 1-If founded, may result in immediate termination of contract and discontinuation of commission of the agent if applicable.

1. Agent represents themselves as an employee of Medicare, Social Security or any other government agency.
2. Discriminating against potential enrollees based on health status, ethnicity or personal needs.

3. Threatening, coercing, intimidating or deceiving a customer or prospective customer or the use of any other non-compliant sales tactics.
4. Knowingly enrolling a person who is unable to understand the plan.
5. Forging or knowingly accepting a forged signature on enrollment form.
6. Knowingly providing false information to obtain an enrollment.
7. Enrollment of beneficiaries by an unlicensed individual or not licensed in a specific state.
8. Lack of privacy of all personal health information (PHI) in accordance with HIPAA.
9. Door to door solicitation, unsolicited outbound phone calls.
10. Not adhering to the CMS nominal gift requirement.
11. Offering or accepting inducements or favors to enroll.

The CMS Communications and Marketing Guidelines are posted at the
CMS website

Centers for Medicare and Medicaid Services (CMS) <https://www.cms.gov>

Compliance Questions: compliance@copelandgroupusa.com