Spark

Compliance Overview









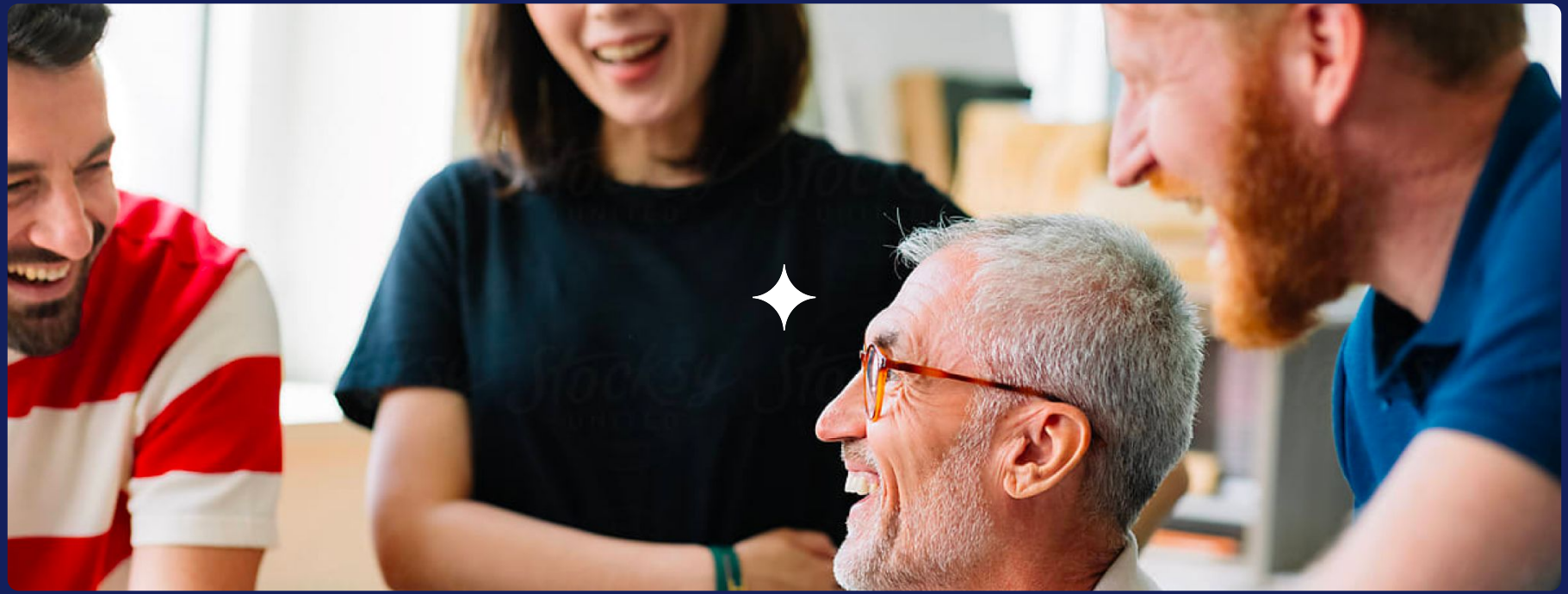
Pam Harrison
Medicare Trainer & Compliance Lead

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CONFIDENTIAL AND PROPRIETARY

Agenda

01	Introduction
02	Working with Spark Compliance
03	Training
04	Marketing & Communication Materials
05	Allegations



Working with Spark Compliance

Spark is Your Compliance Partner

01 Training

02 Agent/Agency Created Materials

03 Compliance Allegations

04 Compliance Updates

05 Compliance Questions





Agent Training

Training

Effective Agent training is key to ensure your agents are successful and compliant.

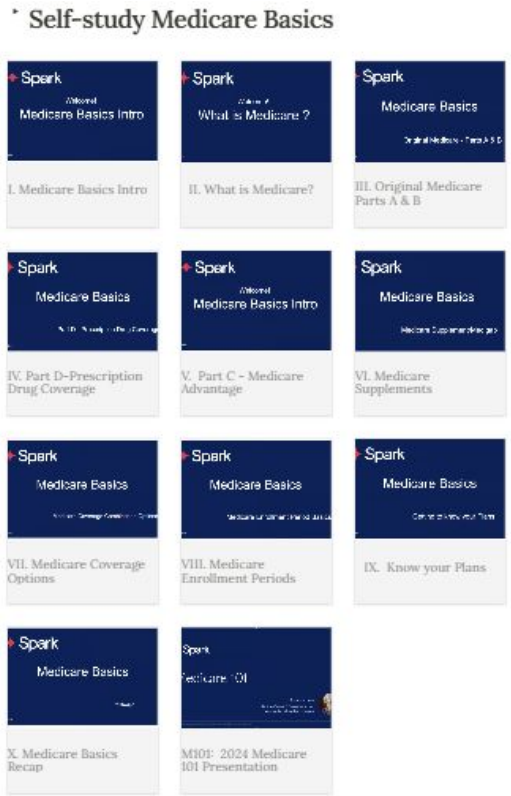
- Send Spark your current training outline. We can round out your agent training or give you suggestions. compliance@sparkadvisors.com
- Direct your agents to our Training & Compliance pages and Webinars to stay up to date.
- Be available for your agents to reach out with questions. Reach out to Spark with questions!

Help Center Training Page

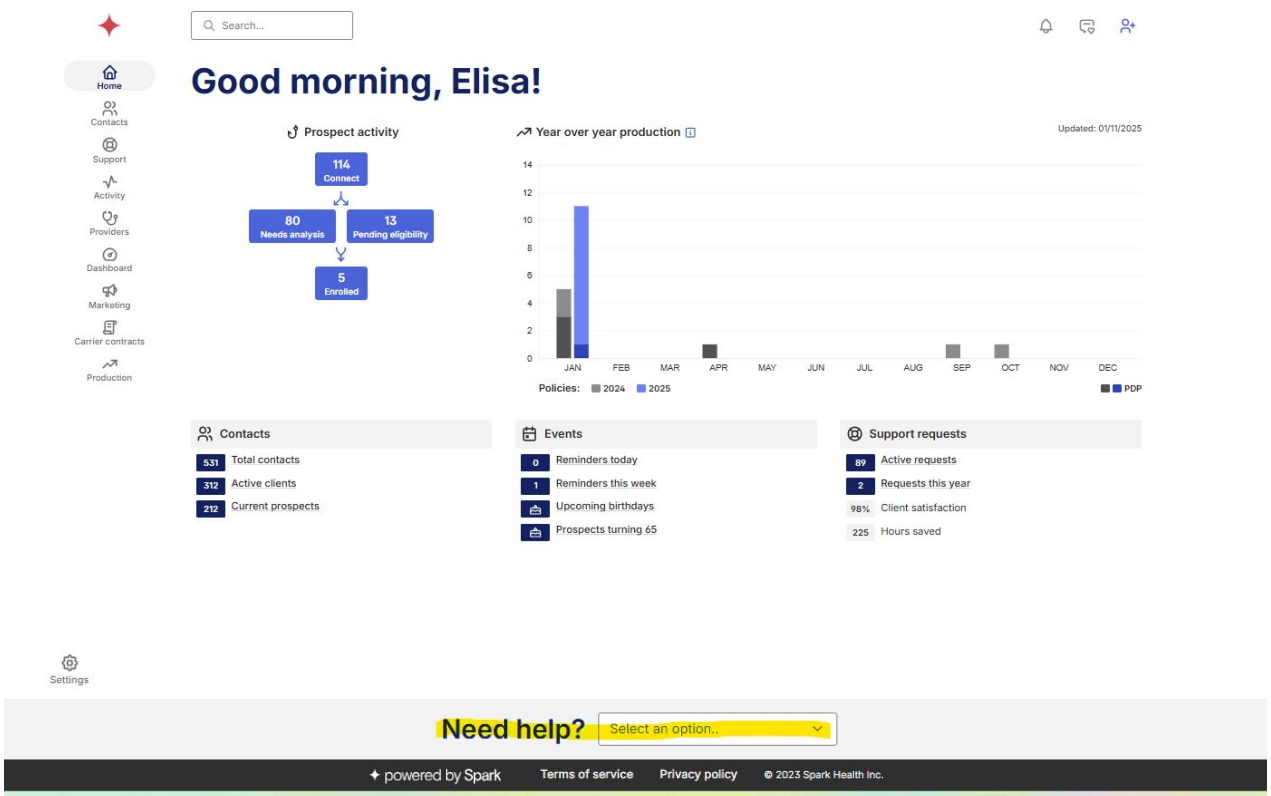
Check out the Agent Training Page on Spark Help Center for videos, resources and updates.

Check out the Live Webinar schedule to register and attend Live Trainings.

If you have any questions, reach out to Compliance@SparkAdvisors.com



How to get there



If you have any questions, reach out to Compliance@SparkAdvisors.com

Training Page Demo



Compliance

Compliance



Agents look to their leader/upline for direction in marketing Medicare products compliantly

- Early and ongoing training is key to ensure your agents are successful and compliant
- Regular and consistent agent monitoring is key to ensure agents *stay* compliant
- Quickly and professionally take action when becoming aware of any compliance concerns

Communication vs Marketing Materials

Communication Materials

Are generic or general - no specifics on benefits, plans, carriers, etc.

- Spark created Communication templates
- Carriers have ready made materials you can personalize and use - check the carrier broker portals
- Anything agent-created needs to be submitted to Spark for a compliance review and approval prior to using

Marketing Materials

Mention benefits, plans, carriers, Star ratings, enrollment scripts, etc.

- Carriers have ready made marketing materials you can personalize and use - check the carrier broker portals
- All materials considered Marketing must also be filed and approved with CMS prior to use. Spark will file with a carrier for Opt-In and then file with CMS.
- Allow plenty of time for Marketing Materials to get through the process

Communication Materials Approval Process

Read Guidelines

Review Communication Material Guide and other resources on the Compliance Help Center page

Submit

Use the link on the Compliance Page to submit materials.

Review

Spark Compliance will review and respond with any edits.

Goal is 1-2 business days

Resubmit

Re-submit to Spark once edits are made.

Spark will approve once compliant with Communication Materials guidelines.

*There are a few things considered communication that carriers like to approve prior to use, such as Lead Generation forms, which will add time to the approval process.

Marketing Materials Approval Process

Guidelines	Submit	Review	Resubmit	Carrier	CMS
Review Marketing Material Guides and other resources on the Compliance Help Center page	Use the link on the Compliance Page to submit materials.	Spark Compliance will review and respond with any edits. Goal is 1-2 business days	Re-submit to Spark once edits are made. Spark will approve once compliant with Communication Materials guidelines.	Spark will submit to carrier for review and opt-in. Carrier may or may not have additional edits	Spark will submit to CMS for approval Spark will email agent or agency with approval

*It's necessary to plan well in advance for Marketing Materials. Allow about 4 weeks during "off season", but allow 6+ weeks for AEP materials. Any marketing materials you want approved prior to AEP should be submitted by mid-July.

Common errors

- Not understanding communication vs. marketing
- Non-compliant Agent title
- Incorrect Disclaimers
  - When phone number listed
  - TPMO disclaimer uses
  - Lead Generation form disclaimers
- Using words or phrases CMS discourages
- Websites - non-compliant verbiage, disclaimers, etc.

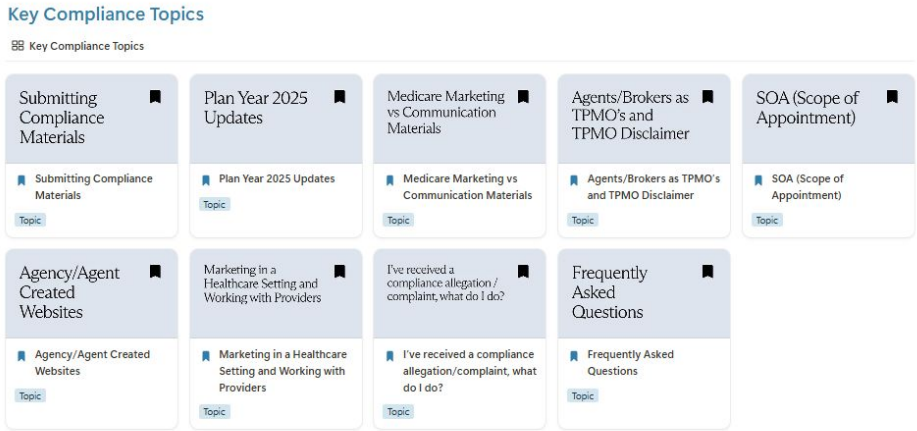


Help Center Compliance Page

The Compliance Page on Spark Help Center has a lot of information!

If you have any questions, reach out to Compliance@SparkAdvisors.com

You can turn in any materials for compliance review using the link under Submitting documents heading on the Compliance Page.
There are guidelines for Communication Materials as well as Marketing materials under the “submitting documents” heading





Compliance Page Demo



Allegations

Avoiding Complaints

Most common allegation categories

- Enrolled without consent
- Incorrect Plan Benefit Information - incorrect OTC amount, Food card amount, premium, copays, etc.
- Provider not in network

Avoiding complaints and founded allegations:

- Training, and more training prior to releasing agents to be on their own!
- If agents are conducting telephonic sales and enrollment appointments:
    - Make sure following a CMS approved script. Spark has English and Spanish CMS approved scripts on the Compliance & Training pages.
    - Make sure the calls are actually recorded and available if a carrier requests.
- Follow up, follow up, follow up with the client to build a strong relationship!

Investigation

01 Spark (and agent) notified of allegation

02 Agent responds to allegation

03 Carrier conducts investigation

04 Carrier determines outcome, issues any corrective actions

05 Agent completes corrective actions, and case is closed



Allegation Process

Notification

- Client makes complaint to Carrier or CMS
- Carrier notifies the agent and Spark via email asking for agent statement, SOA, recording (if applicable), supporting documentation
- Deadline for responding - usually 5 to 7 days
- Spark emails agent and immediate upline - sometimes through Zivver for security due to sensitive information/PHI

Agent Response

- Agent needs to respond by the due date.
- If the agent fails to respond, the carrier will automatically determine the case is “founded”
- Agent needs to include everything the carrier is requesting - statement, recording, SOA, PTC, any other supporting information. An explanation is needed if the agent does not have an item the carrier is requesting.
- Send a copy or CC Spark Compliance when responding directly to the Carrier.

Allegation Process

Investigation and Determination

- Carrier investigates with information provided
- Carrier makes a determination - unfounded, inconclusive, founded
- Carrier issues corrective actions:
  - No further action is required
  - Education (modules)
  - Attesting to the corrective action
  - Verbal coaching
  - Written or Verbal Warnings
  - Corrective Plan of Action

Agent Actions

- Agent needs to complete the corrective action(s) by the due date.
- If the agent fails to respond, carrier can put commissions on hold and in certain situations terminate contract
- If coaching is required, coaching will be completed by immediate upline or Spark Compliance (UHC does their own)
- Carrier will close the case once corrective action(s) completed and turned in

Frequency

- Spark and Carriers look at frequency of allegations - speaks to a pattern of behavior
- Spark will monitor frequency and may require mandatory training for agent and Agency Principle
- Carriers separate CTM's (Calls to Medicare) and calls into the Plan
- Carriers must determine an allegation is founded if agent does not provide required information
- Remedial Action issued by the Carrier will escalate for agents with multiple allegations, especially if it continues despite coaching, etc.
- Some carriers will withhold commissions for failure to respond
- Carriers can and will terminate an agent contract if the pattern continues or agent fails to respond.

Monitor agents and correct mistakes early to avoid a pattern developing.

Spark is Your Compliance Partner

01 Take Compliance Seriously

02 Attend Compliance Training

03 Compliance Page to stay up to date

04 Ask questions!

05 Communication



Q & A

Thank You

CONTACT

support@sparkadvisors.com

compliance@sparkadvisors.com

Spark