

POLICY AND PROCEDURE

POLICY NAME: Provider Marketing Guidelines	POLICY ID: LA.MRKT.07
BUSINESS UNIT: LHCC	FUNCTIONAL AREA: Marketing
EFFECTIVE DATE: 1/12, 2/15	PRODUCT(S): Medicaid
REVIEWED/REVISED DATE: 9/14, 11/14, 9/15, 8/16, 4/17, 4/18, 2/19, 2/20, 11/20, 2/22, 12/22	
REGULATOR MOST RECENT APPROVAL DATE(S): n/a	

POLICY STATEMENT:

The purpose of this policy is to clearly define the provider marketing guidelines.

PURPOSE:

The purpose of this policy is to clearly define the provider marketing guidelines.

SCOPE:

Louisiana Healthcare Connections (Plan or MCOContractor)

DEFINITIONS:

POLICY:

2.14.6 Contractor Provider Marketing

2.14.6.112.7.1. When conducting any form of marketing in a provider's office, the MCOContractor ~~shall must~~ acquire and keep on file the written consent of the provider.

12.7.2.2.14.6.2 The MCOContractor ~~may shall~~ not require its providers to distribute MCOContractor-prepared marketing communications to their patients.

12.7.3.2.14.6.3 The MCOContractor ~~may shall~~ not provide incentives or giveaways to providers to distribute ~~them to MCO marketing communications to Enrollees or Potential Enrollees.~~ members or potential MCO members.

2.14.6.412.7.4. The MCOContractor ~~may shall~~ not conduct ~~member-Enrollee~~ education or distribute ~~member-Enrollee~~ education materials in provider ~~offices.~~ offices, with the exception of health education materials (branded or nonbranded) with the provider's consent.

2.14.6.512.7.5. The MCOContractor ~~may shall~~ not allow providers to solicit ~~E~~enrollment or ~~D~~isenrollment in an MCO, or distribute MCO-specific materials ~~at~~ a marketing activity.

12.7.6.2.14.6.6 The MCOContractor ~~may shall~~ not provide printed materials with instructions detailing how to change MCOs to ~~members-Enrollees~~ of other MCOs to providers.

12.7.7.2.14.6.7 The MCOContractor shall instruct ~~participating p~~Network P Providers regarding the following communication requirements:

2.14.6.7.1 Network Providers who wish to let their patients know of their affiliations with one (1) or more MCOs shall list each MCO with whom they have contracts;

2.14.6.7.2 Network Providers may display and/or distribute health education materials for all contracted MCOs or they may choose not to display and/or distribute for any contracted MCOs. Health education materials shall adhere to the following guidance:

2.14.6.7.2.1 Health education posters cannot be larger than 16" x 24";

2.14.6.7.2.2 Children's books, donated by MCOs, must be in common areas;

2.14.6.7.2.3 Materials may include the MCO's name, logo, phone number and website; and

2.14.6.7.2.4 Providers are not required to distribute and/or display all health education materials provided by each MCO with whom they contract. Providers can choose which items to display as long as they distribute items from each contracted MCO and that the distribution and quantity of items displayed are equitable;

~~12.7.7.1. Participating providers who wish to let their patients know of their affiliations with one or more MCOs must list each MCO with whom they have contracts;~~

~~12.7.7.2. Participating providers may display and/or distribute health education materials for all contracted MCOs or they may choose not to display and/or distribute for any contracted MCOs. Health education materials must adhere to the following guidance:~~

- ~~• Health education posters cannot be larger than 16" X 24";~~
- ~~• Children's books, donated by MCOs, must be in common areas;~~
- ~~• Materials may include the MCOs name, logo, phone number and Web site; and Providers are not required to distribute and/or display all health education materials provided by each MCO with whom they contract. Providers can choose which items to display as long as they distribute items from each contracted MCO and that the distribution and quantity of items displayed are equitable.~~

~~12.7.7.3.2.14.6.7.3~~ Providers may display marketing materials for MCOs provided that appropriate notice is conspicuously and equitably posted, in both size of material and type set, for all MCOs with whom the provider has a contract.

~~12.7.7.4.2.14.6.7.4~~ Providers may display MCO participation stickers, but they must display stickers by all contracted MCOs or choose to not display stickers for any contracted MCOs.

~~12.7.7.5.2.14.6.7.5~~ MCO stickers indicating the provider participates with a particular MCO cannot be larger than 5" x 7" and may not indicate anything more include anything more than the MCO name and/or logo or with the statement that it is accepted or welcomed here than ~~"the MCO or MCO is accepted or welcomed here."~~

~~12.7.7.6.2.14.6.7.6~~ Providers may inform their patients of the benefits, services and specialty care services offered through the MCOs in which they participate. However, providers may shall not recommend one MCO over another MCO, offer patients incentives for selecting one MCO over another, or assist the patient in deciding to select a specific MCO in any way, or otherwise intend to influence an Enrollee's decision; and including but not limited to faxing, using the office phone, or a computer in the office.

~~12.7.7.7. Upon actual termination of a contract with the MCO, a provider that has contracts with other MCOs may notify their patients of the change in status and the impact of such a change on the patient included the date of the contract termination. Providers must continue to see current patients enrolled in the MCO until the contract is terminated according to all terms and conditions specified in the contract between the provider and the MCO.~~

~~12.7.7.8.2.14.6.7.7~~ MCOs shall not produce branded materials instructing ~~members~~ Enrollees on how to change a MCO. They must use LDH provided or approved materials and should refer ~~members~~ Enrollees directly to the Enrollment Broker for needed assistance.

PROCEDURE:

1. Any report of violating the rules listed in the policy above will coordinated with:
 - a. Plan Compliance Officer
 - b. Director, Marketing/Communications

2. The report of nonconformance is investigated.
3. The investigation is documented and retained in ~~Compliance 360~~Archer.

REFERENCES:: Louisiana Medicaid Contract Statement of Work Section 2.14.6

ATTACHMENTS:

ROLES & RESPONSIBILITIES:

REGULATORY REPORTING REQUIREMENTS:

Which regulator(s) require reporting, what should be reported, when to report, and how to report/who to contact.

REVISION LOG

REVISION TYPE	REVISION SUMMARY	DATE APPROVED & PUBLISHED
	Reviewed with no changes	9/14
	LA Procurement 2015 Policy Update	11/14
	No revisions	9/15
	Changed DHH to LDH	8/16
	No revisions	4/17
	No revisions	4/18
	No revisions	2/19
	Trivial correction/updates	2/20
	Corrected formatting error that separated a sentence from the bullet item with which it belongs.	11/20
	No revisions	2/22
	<u>Update to match model contract</u>	<u>12.22</u>

POLICY AND PROCEDURE APPROVAL

The electronic approval retained in RSA Archer, the Company's P&P management software, is considered equivalent to a signature.

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