

POLICY AND PROCEDURE

POLICY NAME: Written Materials Guidelines	POLICY ID: LA.MRKT.09
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 guidelines for written materials

PURPOSE:

The purpose of this policy is to clearly define the guidelines for written materials

SCOPE:

Louisiana Healthcare Connections (Plan or MCO)

DEFINITIONS:

POLICY:

The ~~MCO-Contractor shall~~must comply with the following requirements as it relates to all written member materials, regardless of the means of distribution (printed, web, advertising, direct mail, etc.). The ~~MCO-Contractor~~ shall also comply with guidance outlined in 42 CFR §438.10 and 42 USC §1396u -(2)(d)(2)(A)(i) and 42 U.S.C. §1396u-2(a)(5):

~~12.9.12.14.8.1.~~ All member materials ~~must~~shall be in a style and reading level that ~~will~~shall accommodate the reading skills of MCO Enrollees. In general the writing ~~should~~shall be at no higher than a 6.9 grade level, as determined by any one of the indices below, taking into consideration the need to incorporate and explain certain technical or unfamiliar terms to ~~assure~~ensure accuracy:

- Flesch – Kincaid;
- Fry Readability Index;
- PROSE The Readability Analyst (software developed by Educational Activities, Inc.);
- Gunning FOG Index;
- McLaughlin SMOG Index; or
- Other computer generated readability indices accepted by LDH
- All written materials shall be clearly legible with a minimum font size of twelve (12)-point, with the exception of MCO Member ID Cards, and or otherwise approved by LDH in writing.

~~12.9.2.~~ All written materials ~~must be clearly legible with a minimum font size of ten points, preferably twelve-point, with the exception of Member ID cards, and or otherwise approved by LDH.~~

~~12.9.3.2.14.8.2~~ LDH reserves the right to require evidence that written materials for ~~members~~Enrollees have been tested against the 6.9 grade reading-level standard.

~~12.9.4.2.14.8.3~~ If a person making a testimonial or endorsement for an MCO has a financial interest in the company, such fact must be disclosed in the marketing materials.

~~12.9.5.~~ All written materials ~~must be in accordance with the LDH “Person First” Policy.~~

~~12.9.6.2.14.8.4~~ The quality of materials used for printed materials shall be, at a minimum, equal to the materials used for printed materials for the MCO’s commercial plans if applicable.

~~12.9.7.2.14.8.5~~ The MCO’s name, mailing address (and physical location, if different), website and toll-free number ~~must~~shall be prominently displayed on at least one (1) page within all multi-paged marketing materials.
the cover of all multi-paged marketing materials.

~~12.9.8.2.14.8.6~~ All multi-page written member materials must notify the ~~member-Enrollee~~ that real-time oral ~~and American Sign Language~~ interpretation is available for any language at no expense to them, and how to access those services;

~~12.9.9.2.14.8.7~~ All written materials related to MCO and PCP ~~enrollment-Enrollment~~ shall advise ~~Ppotential eEnrollees~~ to verify with the medical services providers they prefer or have an existing relationship with, that such medical services providers are ~~participating-Network~~ providers of the selected MCO and are available to serve the ~~eEnrollee~~.

~~12.9.10.2.14.8.8~~ Alternative forms of communication ~~must-shall~~ be provided upon request for persons with visual, hearing, speech, physical or developmental disabilities. These alternatives ~~must-shall~~ be provided at no expense to the ~~member-Enrollee~~.

~~12.9.11.2.14.8.9~~ Marketing materials must be made available through the MCO's entire service area. Materials may be customized for specific parishes and populations within the MCOs service area.

~~12.9.12.2.14.8.10~~ All marketing activities ~~should-shall~~ provide for equitable distribution of materials without bias toward or against any group.

~~12.9.13.2.14.8.11~~ Marketing materials ~~must-shall~~ accurately reflect general information, which is applicable to the average ~~pPotential EEnrollee~~ of the MCO.

~~12.9.14.2.14.8.12~~ The MCO shall include in all member materials the following:

~~12.9.14.1.2.14.8.12.1~~ The date of issue;

~~12.9.14.2.2.14.8.12.2~~ The date of revision; and/or

~~12.9.14.3.2.14.8.12.3~~ If the prior versions are obsolete.

~~12.9.15.2.14.8.13~~ Except as indicated ~~in the Marketing and Member Education Companion Guide~~, the MCO may develop their own materials that adhere to requirements set forth in this ~~Contractdocument~~ or use ~~Sstate~~ developed model ~~member-Enrollee~~ notices. State developed model notices must be used for denial notices and ~~pharmacy~~ lock-in notices.

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 2.14.8

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
	No revisions	9/2014

	LA Procurement 2015 Policy Update	11/2014
	No revisions	9/15
	Changed DHH to LDH	8/16
	No revisions	4/17
	Revised to reflect State Medicaid Contract Amendment 11	4/18
	No revisions	2/19
	Minor edits / corrections.	2/20
	No revisions	11/20
	No revisions	2/22
	<u>Revision to align with 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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