



RICK SCOTT  
GOVERNOR

ELIZABETH DUDEK  
SECRETARY

September 12, 2014

Dear Comprehensive Long-term Care (LTC) Plan:

Re: Long-term Care Marketing Materials

This communication is to inform you of the Agency's approach and associated timelines for the approval of Long-term Care (LTC) marketing materials. Under the Statewide Medicaid Managed Care (SMMC) contract (Attachment II, Section I.A.) marketing is defined as "any activity or communication conducted by or on behalf of any Managed-Care Plan with a Medicaid recipient who is not enrolled with the Managed Care Plan or an individual potentially eligible for Medicaid that can reasonably be interpreted as intended to influence such individual to be enrolled in the particular Managed Care Plan." The SMMC Contract provides greater ability for Comprehensive LTC plans to market their products and services to potential enrollees than previously allowed.

When the Long-term Care component of the Statewide Medicaid Managed Care program was implemented beginning in August 2013, marketing was prohibited in the Long-term Care Model Contract. Comprehensive Long-term Care plans are now required to use the SMMC Model Contract, which does allow marketing in accordance with Attachment II, Section III.D. of the contract. Per federal regulations, managed care plans may not distribute any marketing materials without first obtaining Agency approval (see 42CFR 438.104(b)(1)(i)) and the Agency is required to consult with its Medical Care Advisory Committee (MCAC) in reviewing such marketing materials (see 42CFR 438.104(c)).

In order to provide for the review and approval of Long-term Care marketing materials, the Agency has established the following schedule:

- Comprehensive Long-term Care Plans may submit LTC branding and written materials for Agency review beginning Monday, September 15, 2014.
  - € Branding is marketing through mass communication in some form of print media such as newspapers, magazines, billboards, etc. with the purpose of influencing a prospective enrollee to enroll and to contact the managed care plan for more information
  - € Written materials are printed informational material targeted to individual recipients which promotes the managed care plan, including but not limited to brochures, flyers, leaflets or other printed information about the managed care plan. Written material includes materials for circulation by physicians, other providers, or third parties.
- The Agency will accept LTC branding and written marketing materials for review during the period September 15 – September 26, 2014.
- LTC marketing materials recommended for approval will be sent to the Medical Care Advisory Committee for consultation by October 10, 2014.
- Notice of approval or denial of LTC marketing materials will be sent to plans by October 20, 2014.



Please note that LTC marketing materials requested at this time do not include broadcast or marketing scripts, promotional activities/nominal gifts or permissible events. The Agency will provide further guidance on such marketing activity. Enrollee materials (e.g. educational material) intended only for plan enrollees should not be submitted as marketing material. Also, this request for marketing materials does not include MMA marketing materials. Plans will receive a separate communication about MMA marketing materials.

The Agency has established a plan folder on the MMA Readiness FTP site labeled "MARKETING FOR SMMC" that contains subfolders for branding and written materials. The folder structure may not be modified for any reason. Please upload your marketing material to <https://sftp.ahca.myflorida.com:4423> or FileZilla port 2223 to the applicable subfolders in your Comprehensive LTC plan's folder. In order to facilitate an expeditious review of LTC marketing material, please submit all LTC marketing materials as described above by 5:00 p.m. on September 26, 2014. If your LTC Comprehensive plan does not plan to submit any LTC marketing materials for review and approval at this time, please notify the Marketing unit ([Lorraine.Campanaro@ahca.myflorida.com](mailto:Lorraine.Campanaro@ahca.myflorida.com)) of such immediately.


Please use the attached cover sheet to list each LTC marketing item submitted to the FTP file with the file name, a general description of the item, and how the Comprehensive LTC plan intends to use the item. Plans may add rows as needed. No other changes should be made to the cover sheet format. Please submit the cover sheet to the Marketing unit at [Lorraine.Campanaro@ahca.myflorida.com](mailto:Lorraine.Campanaro@ahca.myflorida.com) when you submit items to the FTP site, but no later than 5:00 p.m. on September 26, 2014.

In order to improve the marketing submission review and approval process, please note the following tips to for successful submission:

- Submit items in "camera ready" form. The Agency will not approve marketing items submitted in draft form. A copy sheet is not sufficient. If the plan intends to use several versions of an item, a sample of each version must be submitted for review and approval.
- Submit only one item per file name.
- Be sure to include all contractually required statements and disclaimers and/or TTY information as required by the SMMC Contract, Attachment II, Section III, Eligibility and Enrollment, D.8 (b), (c) and (e). Choice Counseling numbers should be included when enrollment information is included in marketing materials.
- Submit items in the appropriate subfolder (Branding Approvals or Written Materials Approvals) in the Marketing for SMMC subfolder on the FTP site.

If you have any questions, please contact Sue McPhee at 813-350-4838 or email [Susan.mcphee@ahca.myflorida.com](mailto:Susan.mcphee@ahca.myflorida.com), or Lorraine Campanaro at 813-350-4834 or email [Lorraine.campanaro@ahca.myflorida.com](mailto:Lorraine.campanaro@ahca.myflorida.com).

Sincerely,



Shevaun Harris, Chief  
Bureau of Medicaid Services

SH/sm  
Enclosure: Marketing Materials Submission Cover Sheet