

Unsolicited Contact



Plan sponsors may not market through any unsolicited contacts. For example, a plan sponsor may not send emails unless an individual has agreed to receive those emails.

Agents Must

1. Request and document continued Permission to Call (PTC).

Agents May

1. Call a consumer who has submitted a SOA form, but only to confirm the appointment (RSVP).
2. Mail marketing information to consumers.
3. Provide extra business cards in a mailing for consumers to distribute to friends.

Agents Must Not

1. Conduct door-to-door solicitation including leaving leaflets, flyers, or door hangers at a consumer's door, residence, or vehicle.
2. Approach a consumer in a common area such as a parking lot, hallway, sidewalk or lobby.
3. Telephone a consumer in response to a BRC where a telephone number was not included or when an incorrect telephone number was provided.
4. Telephone a consumer who attended a sales event, unless you have documented Permission to Call.
5. Visit a consumer who attended a sales event, unless you have a documented SOA form.
6. Conduct outbound marketing calls unless the consumer explicitly requests the call.
7. Conduct telephonic or electronic solicitation including leaving voicemail messages on answering machines, text messages or email contact unless there is a documented Permission to Call (PTC).
8. Call former members who have disenrolled or members who are in the process of voluntarily disenrolling.
9. Call a consumer to confirm receipt of mailed information unless there is documented PTC.
10. Email, text or telephone consumers if the consumer elects to 'opt out' or requests to end contact by any of these methods.
11. Purchase and/or rent email lists or acquire email addresses through directories for marketing purposes or purchase call lists or leads where PTC has not been established.
12. Telephone, email or text a consumer when contact information is obtained through a friend or referral.
13. Contact a member who is in the process of or has disenrolled from the plan in which you enrolled them.
14. Contact a consumer or member who has filed a complaint against you.