

# Wisconsin Senior Medical Patrol Fraud Alert



September 2020

*Senior Medicare Patrols (SMPs) empower and assist Medicare beneficiaries, their families, and caregivers to prevent, detect, and report health care fraud, errors, and abuse through outreach, counseling, and education.*

Please feel free to share this publication with others who may benefit from its contents.

## TO CONTACT WI SMP

Call: (888) 818-2611

E-mail: [smp-wi@gwaar.org](mailto:smp-wi@gwaar.org)

Website: <https://gwaar.org/senior-medicare-patrol>

Facebook:  
[@WisconsinSeniorMedicarePatrol](https://www.facebook.com/WisconsinSeniorMedicarePatrol)



## Insurance Companies & Agents Have Marketing Guidelines

The Centers for Medicare & Medicaid Services (CMS) have established rules, regulations and guidelines that insurance companies, agents and brokers must follow when selling and promoting Medicare Advantage plans, Part D plans, cost plans, employer/union-sponsored group Advantage and Part D plans, and special needs plans. These rules and regulations are meant to prevent plans and agents from presenting misleading information and utilizing high pressure sales tactics. They also contain rules for how plan representatives may contact and market to beneficiaries. Marketing violations and agent misconduct tend to occur most often in the weeks leading up to the Open Enrollment Period (OEP) each year, when CMS allows Medicare beneficiaries to change their coverage. Every year, that seven-week period occurs from October 15 to December 7.

Due to the pandemic, we expect to see increased activity in the following areas during this OEP relative to last year. You can expect to see:

- Increased telemarketing calls
- The potential for increased marketing solicitation in medical offices
- Activities tailored to the shift from personal meetings to electronic platforms (i.e. Facebook, Instagram, customized ads, etc.)

**Remember to be vigilant and extra cautious!** Never share your personal information with someone who contacts you, unsolicited, via telephone, text message, or email.

### Examples of Agent Misconduct

- Enrolling a beneficiary into a plan without their permission
- Using incentives to convince a person to sign up for a specific plan (offering free trips or meals in return for signing up)
- Misrepresenting the plan's benefits (lied to about providers and/or specialists in the network or claimed person will save money on prescription costs)
- Using scare tactics (sign up now or lose Medicare benefits)
- Attempting to sell a life insurance policy or an annuity at the same time as discussing Medicare plans (this is not allowed)

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# Fraud Alert

## Regulations Set by CMS

- Insurance companies and agents are not allowed to market 2021 plans prior to October 1
- Insurance companies and agents are not to imply they are associated with Medicare or CMS
- Agents are not allowed to market or host sales activities in residential settings outside of the recreational or conference rooms, nor are they allowed to solicit door-to-door
- Agents are not allowed to send unsolicited text messages or voicemail messages
- Agents are not allowed to promote just one aspect of the overall plan, such as the drug plan
- Agents are not allowed to ask for credit card numbers, banking information, your Medicare or Social Security number in order for you to receive information
- Agents are not to use high pressure sales tactics and/or incorrect information
- Agents are not to threaten that your Medicare may end if you don't enroll
- Agents are not to say that you must enroll by a certain date or you lose an opportunity

## Possible Consequences to Beneficiaries

- Medicare may stop paying claims, leaving beneficiaries with unexpected out-of-pocket expenses
- You may be switched to a different insurance plan without your knowledge/consent
- You might be unable to afford prescriptions with new plan
- You may not be able to see your Primary Care Physician and/or Specialists as you expected

## What Should I Do?

If you have witnessed any of these violations, or encounter any in the future, please do the following:

- Get the name and address of the insurance company and agent
- Collect any materials available
- Make notes about what happened, including the date and location of the potential violation
- Report your concerns to the SMP at (888) 818-2611
- Remember that you have until December 7 to select a plan, do not feel pressure to choose a plan if you are not ready or have unanswered questions
- Remember to protect your personal information (Medicare and Social Security numbers, bank account information)

**Wisconsin SMP is available for outreach events, educational sessions for beneficiaries, caregivers and professionals, workshops and exhibits at events.**  
Please contact us at [smp-wi@gwaar.org](mailto:smp-wi@gwaar.org) for more information



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