



Policy: PA.2005  
Title: **Marketing and Outreach**  
Department: CalOptima Health PACE  
Section: Not Applicable

*CEO Approval: /s/ Michael Hunn 03/07/2024*

Effective Date: 10/01/2013  
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Applicable to: ☐ Medi-Cal  
☐ OneCare  
☒ PACE  
☐ Administrative

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## I. PURPOSE

This policy establishes guidelines for the development, distribution, and implementation of the CalOptima Health Program of All-Inclusive Care for the Elderly (PACE) Marketing and Outreach Materials and activities by CalOptima Health PACE, CalOptima Health employees, CalOptima Health PACE providers, and agents of CalOptima Health PACE providers as identified in the PACE Marketing Plan.

## II. POLICY

- A. The CalOptima Health PACE Outreach and Enrollment Department shall oversee and conduct Marketing and Outreach activity, in accordance with this Policy.
- B. Marketing and Outreach Materials are any information or product that is designed to encourage retention of CalOptima Health PACE Participants, increase CalOptima Health PACE membership, inform about CalOptima Health PACE enrollment, explain benefits, and/or explain services.
- C. Marketing and Outreach Materials may be produced in a variety of print, broadcast, and direct Marketing media, including, but are not limited to, radio, television, billboards, newspapers, website content, informational brochures, flyers, videos, advertisements, letters, posters, and items of nominal value as described in Section II.K.3 of this Policy.
- D. Marketing and Outreach Materials do not include communications between CalOptima Health PACE providers and Participants, which may include but are not limited to correspondence related to care, test results, and/or treatment or similar matter.
- E. Marketing and Outreach activities are those activities that have the purpose of introducing, informing, educating, and/or providing information regarding CalOptima Health PACE to an individual or an audience in a public setting with the intent of increasing or retaining membership in CalOptima Health PACE. Information provided during Marketing and Outreach activities must comply with the standards and content for Marketing and Outreach Materials, where applicable.
- F. Marketing and Outreach activities do not include responses to questions provided by CalOptima Health PACE customer service, CalOptima Health PACE Participant orientation, use of focus groups, and/or communications between CalOptima Health PACE providers and

Participants in the normal course of business.

- G. Direct communication and education with prospective Participants as a result of a request by a prospective enrollee and/or family through a referral to join the program, in accordance with CalOptima Health Policy PA.2010: Enrollment and Intake, is not considered Marketing and Outreach activity.
- H. Outreach and Enrollment Department employee who conduct Marketing and Outreach activities shall not provide marketing services on behalf of any other Medi-Cal contractor.
- I. Outreach and Enrollment Coordinators and Supervisors for CalOptima Health PACE shall hold themselves up to the highest ethical and professional standards of conduct with the understanding that PACE Participants are among the most vulnerable members of the community.
- J. Marketing and Outreach Standards and Content
  - 1. Marketing and Outreach Materials and activities shall comply with applicable Marketing regulations from both the Centers for Medicare & Medicaid Services (CMS) and the California Department of Health Care Services (DHCS). Marketing and Outreach Materials and activities will also comply with requirements outlined by DHCS in the CalOptima Health PACE Program Agreement.
  - 2. In general, CalOptima Health PACE shall include the following information in its Marketing and Outreach materials:
    - a. An adequate description of CalOptima Health PACE's enrollment and disenrollment policies and eligibility requirements;
    - b. CalOptima Health PACE enrollment procedures;
    - c. A description of CalOptima Health PACE benefits and services;
    - d. Premiums (if any);
    - e. Other information necessary for prospective Participants to make an informed decision about enrollment; and
    - f. Information on restriction of services, as follows:
      - i. Materials must inform a prospective Participant that they must receive all needed health care, including primary care and specialist services (other than emergency services), from CalOptima Health PACE or from an entity authorized by CalOptima Health PACE (i.e., the "lock-in" for PACE-provided services upon enrollment); and
      - ii. Materials must state clearly that Participants may be fully and personally liable for the costs of unauthorized or out-of-PACE program agreement services.
  - 3. In addition to an overview of the program, CalOptima Health PACE shall include the following information during all Marketing and Outreach presentations:
    - a. Eligibility requirements;

- b. Scope, access to, and availability of services;
  - c. An explanation of the confidentiality requirements of any information obtained from prospective enrollees;
  - d. An explanation of the nature of the membership identification that authorizes the Participant to obtain services;
  - e. An explanation that Participants shall obtain all covered health care services required and rendered in non-emergency situations through CalOptima Health PACE's providers;
  - f. An explanation that medical services required in an emergency may be obtained at all times from specified plan providers, or from non-plan providers, if necessary;
  - g. An explanation that enrollment is voluntary, and that Participants may voluntarily disenroll at any time, but that disenrollment will not become effective until the first of the month following the date of receipt of the Participant's notice of voluntary disenrollment;
  - h. An explanation that enrollment is subject to a verification of eligibility processing period of fifteen (15) to forty-five (45) days;
  - i. An explanation that involuntary disenrollment is possible under conditions outlined in the California Code of Regulations, Title 22, Section 53440, and only after action by DHCS.
- 4. Marketing and Outreach Materials and activity information shall be free of material inaccuracies, misleading information, and misrepresentations. Marketing representatives and supervisors shall not misrepresent the PACE program, the Medi-Cal program, or themselves in any manner in order to induce individuals to join CalOptima Health PACE.
  - 5. CalOptima Health PACE shall make a reasonable effort to write Marketing and Outreach Materials at a fourth (4th) grade reading level and shall ensure a reading level not greater than sixth (6th) grade.
  - 6. Marketing and Outreach Materials shall be printed in twelve (12) point font or larger.
  - 7. CalOptima Health PACE shall provide Marketing and Outreach Materials in a culturally and linguistically appropriate manner. CalOptima Health PACE shall furnish printed Marketing and Outreach Materials to prospective and current Participants in accordance with CalOptima Health Policy PA.1007: Delivery of PACE Services.

#### K. Marketing and Outreach Practices and Standards

- 1. Outreach and Enrollment Department staff shall not engage in any prohibited Marketing practices, which include the following:
  - a. Discrimination of any kind on the basis of race, creed, age, color, sex, religion, national origin, ancestry, marital status, sexual orientation, physical/mental disability, or health status;
  - b. Notwithstanding the above, Marketing efforts may be directed to individuals eligible

for PACE by reason of their age;

- c. Activities that could mislead or confuse prospective Participants, or misrepresent CalOptima Health PACE, CMS, or DHCS;
  - d. Provision of gifts or payments to induce enrollment;
  - e. Contracting outreach efforts to individuals or organizations whose sole responsibility involves direct contact with the elderly to solicit enrollment;
  - f. Unsolicited door-to-door or cold call Marketing, including calling or emailing a prospective or current Participant without the individual initiating contact;
  - g. Conducting Marketing and Outreach activities at primary care sites, unless the purpose of the presentation is educational and not to solicit enrollment;
  - h. A statement or inference that CalOptima Health PACE is recommended or endorsed by any State or county agency or any other organization that has not certified its endorsement of CalOptima Health PACE in writing;
  - i. A statement or inference that the State or county recommends that the prospective enrollee enroll in CalOptima Health PACE; and
  - j. A statement or inference that a Medi-Cal member shall lose benefits under the Medi-Cal program or any other health or welfare benefits to which he/she is legally entitled if the enrollee does not enroll in CalOptima Health PACE.
- 2. During all Marketing and Outreach activity, Outreach and Enrollment employee must openly display their identification badge above the waist and clearly visible to all observers during such activity. Employees must also provide their business card to any prospective enrollee at the time of the Marketing and Outreach activity.
  - 3. CalOptima Health PACE may offer gifts to prospective enrollees as long as such gifts are of nominal value (\$15 or less), not readily convertible to cash, and are provided whether or not the individual enrolls in CalOptima Health PACE.

### **III. PROCEDURE**

#### **A. Marketing and Outreach Material Approval Process**

- 1. The CalOptima Health PACE Outreach and Enrollment Department shall submit all CalOptima Health PACE Marketing and Outreach Materials, including any substantive revisions or additions to existing materials, to CMS and DHCS for review and approval prior to using or authorizing the use of such Marketing and Outreach Materials.
- 2. CalOptima Health PACE shall deem Marketing and Outreach materials approved if CMS and DHCS do not disapprove the submitted materials within the forty-five (45) calendar day review period.

#### **B. Training and Approval of Marketing Representatives**

- 1. The CalOptima Health PACE Outreach and Enrollment Department shall provide all of its department employees (referred to as “Marketing Representatives” in DHCS documents and

regulations) a comprehensive Marketing orientation and training program to ensure they will be adequately trained to understand PACE and be prepared to sit for the DHCS Medi-Cal Marketing Representative Examination. This orientation and training program will be a minimum of twelve (12) hours. After completion, Outreach and Enrollment staff are expected to have a thorough knowledge about the Medi-Cal program, managed care Marketing requirements under Medi-Cal, PACE, CalOptima Health PACE's Marketing plan, and ethical standards.

2. The CalOptima Health PACE Outreach and Enrollment Department shall submit the orientation and training program to DHCS for review and approval at any time, upon request.
3. Outreach and Enrollment Department employees must achieve the following objectives prior to engaging in Marketing and Outreach activities on behalf of CalOptima Health PACE:
  - a. Completion of the CalOptima Health PACE Outreach and Enrollment Department orientation and training program;
  - b. Passing the DHCS Medi-Cal Marketing Representative Examination and approved by DHCS to conduct Marketing activities;
  - c. Having familiarity with both Medi-Cal and medical terminology commonly associated with the State's managed care programs, as applicable;
  - d. Having demonstrated knowledge of allowed and prohibited Marketing practices;
  - e. Having demonstrated knowledge of the Medi-Cal enrollment process for CalOptima Health PACE; and
  - f. Having demonstrated knowledge of the grievance and appeals procedures to be utilized by aggrieved Participants.
4. CalOptima Health PACE shall submit to DHCS, no later than five (5) days prior to the DHCS Medi-Cal Marketing Representative Examination, the following information on employees who successfully complete the orientation and training program, to indicate that such staff is ready for the Examination:
  - a. Name of the Outreach and Enrollment employees;
  - b. Date hired;
  - c. Date orientation and training program was given and completed;
  - d. Signature and date of the employee under the statement, "I understand that I am not to sign enrollment contracts unless I have personally made the enrollment presentation"; and
  - e. Signature and date of the PACE Marketing Manager under the statement, "I certify that at least 12 hours of Health Plan instruction have been given to this Marketing representative."

5. Prior to taking the DHCS Medi-Cal Marketing Representative Examination, each employee who will sit for the Examination must:
    - a. Complete the CalOptima Health PACE Marketing Orientation and Training Program; and
    - b. Complete and provide the “PACE Marketing Representative Memorandum of Understanding” to DHCS.
- C. Mandatory Reporting of Marketing Representative Status and Terminations
1. CalOptima Health PACE shall maintain an information file for each Outreach and Enrollment employee who engages in Marketing and Outreach activities, in compliance with Section 7.4 of the Medi-Cal Managed Care Marketing Manual, published by DHCS.
  2. CalOptima Health PACE shall submit a written report to DHCS for all terminations and/or resignations of employees who engage in Marketing and Outreach activity.
  3. CalOptima Health PACE shall submit to DHCS on a quarterly basis, the status of its employees who engages in Marketing and Outreach activities, in compliance with the PACE Program Agreement.
- D. Overview and Tracking of Marketing and Outreach activities
1. The Outreach and Enrollment Department is responsible for organizing all aspects of promotional events, including making arrangements for speakers, creating advertising materials, and disseminating program information to prospective Participants, their families, and the general public.
  2. Information content for presentations concerning CalOptima Health PACE must be presented to the PACE Outreach and Enrollment Department Manager for advance review and approval.
  3. The Outreach and Enrollment Department shall maintain an ongoing log of presentations and Marketing and Outreach activities, which will be forwarded to CalOptima Health PACE leadership and reviewed by the CalOptima Health PACE Management Team at any time, upon request.

#### **IV. ATTACHMENT(S)**

- A. PACE Marketing Representative Memorandum of Understanding

#### **V. REFERENCE(S)**

- A. CalOptima Health Contract with the Department of Health Care Services (DHCS) for PACE
- B. CalOptima Health Policy PA.1007: Delivery of PACE Services
- C. CalOptima Health Policy PA.2010: Enrollment and Intake
- D. Centers for Medicare & Medicaid (CMS) Services, Program of All-Inclusive Care for the Elderly (PACE), Chapter 3-Marketing Guidelines, Rev. 4, 10.02.18
- E. Department of Health Care Services (DHCS) PACE Policy Letter (PL) 00-03: PACE Program Marketing Summary (Issued 07/10/2012)
- F. Title 22, California Code of Regulations (C.C.R.), §53440
- G. Title 42, Code of Federal Regulations (C.F.R.), §460.82

**VI. REGULATORY AGENCY APPROVAL(S)**

None to Date

**VII. BOARD ACTION(S)**

None to Date

**VIII. REVISION HISTORY**

<b>Action</b>	<b>Date</b>	<b>Policy</b>	<b>Policy Title</b>	<b>Program(s)</b>
Effective	10/01/2013	PA.2005	Marketing and Outreach	PACE
Revised	10/01/2014	PA.2005	Marketing and Outreach	PACE
Reviewed	01/01/2015	PA.2005	Marketing and Outreach	PACE
Revised	05/01/2016	PA.2005	Marketing and Outreach	PACE
Revised	04/01/2017	PA.2005	Marketing and Outreach	PACE
Revised	03/01/2018	PA.2005	Marketing and Outreach	PACE
Revised	07/01/2018	PA.2005	Marketing and Outreach	PACE
Revised	02/01/2019	PA.2005	Marketing and Outreach	PACE
Revised	10/01/2019	PA.2005	Marketing and Outreach	PACE
Revised	10/01/2020	PA.2005	Marketing and Outreach	PACE
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Revised	07/01/2023	PA.2005	Marketing and Outreach	PACE
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## IX. GLOSSARY

Term	Definition
Centers for Medicare & Medicaid Services (CMS)	The federal agency under the United States Department of Health and Human Services responsible for administering the Medicare and Medicaid programs.
Department of Health Care Services (DHCS)	The single State Department responsible for administration of the federal Medicaid (referred to as Medi-Cal in California) Program.
Marketing	Any activity conducted by or on behalf of CalOptima Health PACE where information regarding the services offered by CalOptima Health PACE is disseminated in order to persuade Eligible Beneficiaries to enroll. Marketing also includes any similar activity to secure the endorsement of any individual or organization on behalf of CalOptima Health PACE.
Marketing and Outreach Materials	Materials produced in any medium, by or on behalf of the CalOptima Health PACE that can reasonably be interpreted as intended to market to prospective enrollees.
Participant	An individual enrolled in the CalOptima Health PACE program.
Program of All- Inclusive Care for the Elderly (PACE)	PACE is a long-term comprehensive health care program that helps older adults to remain as independent as possible. PACE coordinates and provides all needed preventive, primary, acute and long-term care services so seniors can continue living in their community.