

Proposed Strategy for New Vitalis Direct-to-Consumer (DTC) Marketing

Section 1: Strategic Framework for a Compliant DTC Pharmacy Initiative

1.1 The Opportunity: Activating the Latent Value in Our Patient Database

The internal discussion regarding provider outreach highlights a challenge in executing our traditional B2B growth strategy.¹ The proposed DTC initiative is not a replacement for that valuable long-term effort but rather a powerful, complementary approach that can generate more immediate revenue. It directly addresses the need to reach the consumer by leveraging our most valuable asset: the database of past and present clients of New Vitalis.¹ This strategy aligns with modern healthcare trends that emphasize patient empowerment and direct, convenient access to services.² Furthermore, re-marketing to existing customers who already have a trusted relationship with our brand is significantly more cost-effective than marketing to acquire new patients.²

1.2 Defining the Objective: High-Margin Offerings

As requested, the campaign will focus on promoting high-margin, lifestyle, and wellness-related offerings.¹ Examples could include the Erectile Dysfunction (ED) medications you mentioned, as well as vitamins, supplements, and specialized skincare products. This focus is strategic for two reasons: first, it directly targets top-line revenue growth, and second, it allows for marketing messaging that is more

general and educational. By promoting product categories rather than specific treatments for a known condition, we significantly reduce the risk of including sensitive Protected Health Information (PHI) in promotional content, which is a key component of a compliant marketing strategy.⁴

1.3 The Chosen Platform: HubSpot as the Central Nervous System

HubSpot is the ideal platform to serve as the central nervous system for this initiative. It provides a single, AI-powered customer platform that unifies our CRM with powerful marketing automation tools for email, SMS, and complex workflows.³ Using HubSpot, we can create personalized, multi-channel patient journeys that guide individuals from initial awareness to conversion. Every interaction—from an email open to a link click—can be tracked, allowing for robust reporting, ROI analysis, and continuous optimization of the campaign.³

Section 2: The HIPAA Compliance Gauntlet: Foundational Requirements in HubSpot

Executing a DTC campaign in healthcare requires navigating a complex regulatory landscape. The following steps are non-negotiable prerequisites to ensure our initiative is fully compliant with the Health Insurance Portability and Accountability Act (HIPAA).

2.1 The Critical Prerequisite: HubSpot's HIPAA-Compliant Status and the BAA

Historically, many marketing platforms were not considered HIPAA compliant because they would not sign a Business Associate Agreement (BAA).⁸ This has recently changed. As of June 2024, HubSpot now offers HIPAA-compliant features and will sign a BAA for customers on its

Enterprise-tier plans.¹⁰

A BAA is a legally binding contract between a "Covered Entity" (New Vitalis Pharmacy) and a "Business Associate" (HubSpot). This agreement mandates the security measures and responsibilities for handling PHI.¹³ The absolute first step in this project is to confirm we are on a HubSpot Enterprise plan and execute this BAA. Without a signed BAA in place, this project cannot legally proceed.

2.2 Defining and Isolating Protected Health Information (PHI)

PHI is any information that can identify an individual and relates to their health status, treatment, or payment for healthcare.¹⁴ This includes not just medical records but also names, addresses, birth dates, and even the names of medications a person takes.¹⁵ Our strategy will be governed by the "Minimum Necessary" Rule, meaning we will only use or disclose the minimum amount of PHI required to accomplish any given task.¹⁷

2.3 The Hierarchy of Patient Consent: A Multi-Layered Approach

Your request to "send a campaign to all users in the database" ¹ requires a critical preliminary step. We cannot legally send marketing messages to patients simply because they are in our system for treatment purposes. HIPAA strictly separates treatment communications from marketing communications, which are defined as any message encouraging the purchase of a product or service.¹⁵ Sending unsolicited marketing could constitute a HIPAA violation and result in significant penalties.⁴

Therefore, our first "campaign" must be a compliance-focused **Re-permissioning Campaign**. We must contact our existing patient base with a neutral, non-promotional message asking for their explicit consent to receive marketing communications. We must clearly state what kind of content they will receive and how often.⁴ Only those who affirmatively opt-in can be added to our marketing list. This not only ensures legal compliance but also improves campaign ROI by targeting a highly engaged audience.

2.4 Configuring HubSpot for Sensitive Data

HubSpot's Enterprise plan provides the necessary tools to manage sensitive data securely.¹¹ We will implement the following configurations:

- **Field-Level Permissions:** We will designate specific contact properties that contain PHI (e.g., "Last Prescription Filled," "Primary Diagnosis Category") as "sensitive data." This feature restricts the ability to view or edit these fields to only authorized personnel, such as a compliance officer or lead pharmacist, while shielding them from the general marketing team.¹¹
- **Audit Logging:** We will enable HubSpot's comprehensive audit logging to track all actions involving sensitive data. This creates a detailed, immutable record of who accessed what and when, which is essential for compliance audits.¹⁰
- **Access Control & Authentication:** We will enforce Multi-Factor Authentication (MFA) for all users and establish strict role-based permissions to ensure that team members only have access to the data necessary for their specific responsibilities, thereby minimizing data exposure.¹⁰

Compliance Area	Requirement	Required Action for New Vitalis	Status
Business Associate Agreement (BAA)	A signed BAA is required with any vendor (Business Associate) that handles PHI.	Confirm HubSpot Enterprise subscription. Execute the official BAA with HubSpot before any PHI is handled in the platform.	Pending
Patient Consent (Marketing)	Patients must provide explicit, documented opt-in consent to receive marketing communications.	Design and execute a "Re-permissioning Campaign" to obtain and document marketing consent from the existing patient database.	Pending
Platform Security (HubSpot)	The platform must be configured with technical safeguards to protect PHI.	Enable and configure field-level permissions for sensitive data, activate audit logging, and enforce	Pending

		MFA and role-based access controls.	
Data Handling Policy (Internal)	An internal policy must govern the use of PHI in marketing systems.	Draft and approve an internal policy defining what data can be stored in HubSpot and establishing processes for data management based on the "Minimum Necessary" principle.	Pending

Section 3: Technical Readiness: Preparing the Marketing Infrastructure

3.1 Ensuring Email Deliverability: SPF, DKIM, & DMARC

To ensure our marketing emails reach patient inboxes and are not flagged as spam, we must implement three key email authentication protocols. These are not optional; they are the foundation of deliverability and brand protection, proving to providers like Gmail and Microsoft that our emails are legitimate.¹⁸

- **SPF (Sender Policy Framework):** A DNS record listing all servers (including HubSpot's) authorized to send email on behalf of newvitalis.com.²⁰
- **DKIM (DomainKeys Identified Mail):** A digital signature that verifies the email came from us and was not altered in transit.²²
- **DMARC (Domain-based Message Authentication, Reporting, and Conformance):** A policy instructing receiving servers on how to handle emails that fail SPF or DKIM checks, which protects our domain from being spoofed by malicious actors.²²

The IT team must publish these records in our DNS settings.

Record Type	Host / Name	Example Value
SPF	@ or newvitalis.com	v=spf1 include:mmsend.com ~all (Note: mmsend.com is HubSpot's sending domain. This should be combined with any other existing SPF entries.)
DKIM	hubspot._domainkey	v=DKIM1; k=rsa; p= (Note: The specific key will be generated within our HubSpot account.)
DMARC	_dmarc	v=DMARC1; p=none; rua=mailto:dmarc-reports@newvitalis.com (Note: Start with p=none for monitoring, then escalate to quarantine or reject.)

3.2 SMS Registration and Setup

To use SMS, we must first purchase the **Marketing SMS add-on** for HubSpot.²⁴ We will then need to complete the 10-digit long code (10DLC) business registration process. This involves providing HubSpot with details about our organization, the intended use of our SMS campaigns (e.g., marketing promotions, wellness tips), and example messages for carrier approval.²⁶ Consent is paramount for SMS; the platform automatically handles standard opt-in and opt-out keywords (START, STOP, etc.), and we must manage subscription status for each contact meticulously.²⁵

Section 4: The Automated Marketing Workflow: A Step-by-Step Blueprint

4.1 Audience Segmentation: The "Compliant Marketing List"

The primary audience for this workflow will be a HubSpot static list named **"NVP - Marketing Opt-In."** This list will exclusively contain individuals who have explicitly consented to receive marketing communications through our re-permissioning campaign. This is the foundational trigger for the entire workflow, ensuring we only contact those who have given us legal permission to do so.²⁷

4.2 The Multi-Channel Campaign Flow (Email & SMS)

The workflow will be a contact-based automation built from scratch in HubSpot.²⁷ It will use a sequence of delays and communication actions (e.g., "Send Email," "Send SMS") to nurture contacts over time.²⁹ We will incorporate if/then branches to create a dynamic journey based on patient engagement. For example, if a contact clicks a link in an email, they might receive a targeted follow-up SMS; if they don't engage, they might receive a different email several days later.³⁰ All SMS messages will automatically respect HubSpot's "Quiet Hours" feature, ensuring delivery only between 8:00 AM and 7:59 PM in the contact's local time zone.²⁴

Day	Channel	Content Theme & Rationale	CTA
1	Email	"Wellness from Your Trusted Pharmacy": Re-introduces our brand in a marketing context, reinforcing trust and setting the stage.	Explore Our Wellness Hub
3	SMS	"Quick tip for staying healthy this season...": A light-touch, value-add message to establish SMS as a helpful channel.	N/A

5	Email	"Explore Our Curated Wellness Solutions": Introduces high-margin product categories (e.g., Vitamins, Skincare) in a non-prescriptive way.	View Health Solutions
8	Email	"Did You Know? Facts About Men's/Women's Health": Educational content to build authority and subtly guide interest toward relevant product categories.	Learn More
10	SMS	"A special offer for our loyal customers...": A time-sensitive promotion to drive immediate action.	Shop Now & Save
14	Email	"Your Partner in Health": A final value proposition message with a clear call-to-action for a specific product category, leading to the secure request form.	Request More Information

4.3 Crafting Compliant, High-Conversion Messages

All content will be general and educational, promoting product categories like "Men's Health Solutions" or "Vitamins & Supplements" rather than specific prescription drugs tied to a known patient condition.⁴ We will use non-PHI personalization tokens like

[Contact.FirstName] to improve engagement.⁷ Every communication will feature clear, one-click unsubscribe links, as required by law and managed automatically by HubSpot.⁴ All links will be auto-tagged with UTM parameters for precise ROI tracking.⁷

Section 5: The "Send to Provider for Fill" CTA: A Secure Implementation Architecture

5.1 Deconstructing the Request: Why a Simple Link is a HIPAA Violation

Your request for a CTA that says "send to my provider for fill" ¹ is an excellent idea for reducing patient friction. However, it cannot be implemented as a simple button that generates an insecure email. A patient's request for a specific prescription medication is unequivocally PHI. Transmitting this information insecurely (e.g., via a standard

mailto: link) is a direct violation of the HIPAA Security Rule, which mandates technical safeguards like end-to-end encryption.¹⁴ Sending an unencrypted email containing "John Doe requests Sildenafil" would constitute a data breach.

5.2 The Compliant Architecture: A Secure Form & Internal Workflow

The solution is to create the *illusion* of a simple click for the user while ensuring robust, multi-layered security on the back end. The CTA is not a marketing button; it is the trigger for a secure operational workflow.

1. **The CTA Link:** The button in our marketing email ("Request a Refill" or similar) will link to a secure landing page on our website. This page will be served over HTTPS to encrypt the connection.³¹
2. **The Secure, HIPAA-Compliant Form:** The landing page will host a form built using HubSpot's HIPAA-compliant form tools (available on the Enterprise plan with a BAA).¹¹ The form will collect only the minimum necessary data: Patient Name, DOB (for identity verification), the desired medication or product category,

and their provider's name.

3. **Explicit Consent:** The form will feature a mandatory checkbox where the patient gives explicit, documented consent for New Vitalis to contact their provider on their behalf for this specific request. It will also include a brief disclosure of the risks of electronic communication.³⁵
4. **Secure Data Transmission & Internal Notification:** Upon submission, the form data is NOT sent in a plain-text email. Instead, a HubSpot workflow triggers a secure, internal action:
 - It creates a **Task** within a secure, access-controlled part of HubSpot (or an integrated, HIPAA-compliant task management system).³⁷
 - This task is assigned to a specific, authorized pharmacy technician or pharmacist.
 - The email notification to the technician will be generic (e.g., "New Prescription Request Received - Task Assigned in HubSpot") and will **not** contain any PHI.
5. **Internal Fulfillment Process:** The authorized technician receives the task notification. They then log in to the secure HubSpot environment to view the encrypted form submission details. Using this information, they initiate the formal prescription request to the patient's provider through our existing, secure channels (e.g., secure e-fax, EMR message, or a HIPAA-compliant encrypted email service).¹⁶

This process transforms the CTA from a compliance risk into a secure, auditable, and efficient internal business process that bridges the gap between marketing and pharmacy operations.

Section 6: Actionable Recommendations and Implementation Roadmap

Phase 1: Foundational Setup (Weeks 1-2)

- [] **Legal & Procurement:** Confirm/Upgrade to HubSpot Enterprise. Execute the Business Associate Agreement (BAA) with HubSpot.
- [] **IT & Marketing:** Purchase and configure the HubSpot SMS Add-on, including

10DLC registration.

- [] **IT:** Implement and verify SPF, DKIM, and DMARC records for newvitalis.com.
- [] **Compliance & Marketing:** Configure HubSpot's sensitive data settings, user roles, and permissions.

Phase 2: Audience & Content Development (Weeks 3-4)

- [] **Marketing & Compliance:** Design and execute the "Re-permissioning Campaign" to build the marketing-consented list.
- [] **Marketing:** Develop all email and SMS content for the main DTC workflow.
- [] **Marketing & IT:** Build the secure landing page and HIPAA-compliant form for the "Send to Provider" CTA.

Phase 3: Workflow Build & Launch (Weeks 5-6)

- [] **Marketing:** Build the complete automated email/SMS workflow in HubSpot.
- [] **Pharmacy Operations & IT:** Finalize and document the internal fulfillment process for prescription requests. Train authorized staff on the new workflow.
- [] **All Teams:** Conduct a full, end-to-end test of the entire flow, from email click to internal task creation.
- [] **Marketing:** Launch the DTC campaign to the fully consented list.

Phase 4: Monitoring & Optimization (Ongoing)

- [] **Marketing:** Monitor campaign performance (open rates, click-through rates, conversions, ROI) via HubSpot dashboards.
- [] **Compliance:** Regularly audit access logs and processes to ensure ongoing adherence to policies.
- [] **All Teams:** Schedule bi-weekly meetings to review results and identify opportunities for optimization.

I believe this comprehensive approach addresses all aspects of your request while building a scalable and legally compliant marketing engine for New Vitalis. I am

prepared to lead the implementation of this plan and can schedule a meeting to walk through the details with the team at your convenience.

Best regards,

Luis Escobar

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