

Producer Do Not Call FAQs

- **What is the Do Not Call law?**

The Federal Communications Commission (FCC) has issued regulations allowing consumers to register their telephone numbers on a national Do Not Call list. The regulations prohibit insurers from calling phone numbers on the national list. If consumers do receive a call, they can file a complaint that could result in fines and they could also file a lawsuit.

- **Does the federal Do Not Call law supercede the state Do Not Call laws?**

No, the federal law is not intended to preempt the state Do No Call laws. The requirements of the state laws must be followed as well as the federal rule. In fact, the more restrictive law must be followed if the laws differ.

- **What phone numbers can be registered on the national Do Not Call list?**

Cell phone numbers and residential phone numbers can be registered on the list. Business telephone numbers are not covered by the national Do Not Call list, but may appear. Due to the number of home-based businesses, you should avoid calling these numbers anyway.

- **What calls are covered by the law?**

Calls that solicit sales of goods and services are covered by the law. It includes telemarketers who solicit consumers (often on behalf of third-party sellers) and sellers who are paid to provide, offer to provide, or arrange to provide goods or services to consumers. The type of calls impacted include cold-calling and referrals.

- **Under the law, who can producers call?**

1. Clients with whom they have an established business relationship. Calls can be made for up to 18 months after the clients' last purchase unless the client asks the agent not to call again. Calls can also be made within 90 days of an inquiry or application regarding products or services, unless the person called asks not be called again.
2. Individuals who have given prior express permission to be called. The prior express invitation or permission must be in writing, signed by the person called, state the individual agrees to be contacted by the seller and contain the telephone number to be called.
3. Individuals the producer has a "personal relationship" with. A personal relationship is limited to a family member, friend or acquaintance of the person making the call.

- **Are there approved materials I can use to get permission to call?**

Yes. Business card size "Permission to Call" cards (X10626), notecard size "Permission to Call" cards (MRC32028), and cover letter (AFN39475) are available from Mutual of Omaha's Sales Professional Access web site.

- **What other restrictions on calls are in place?**
 - Calling times are restricted to the hours between 8:00 a.m. and 9:00 p.m. local time at the called party's location
 - All calls, including calls through automatic dialers, must connect telemarketers to callers within 2 seconds to reduce hang-up calls. If a telemarketer is not standing by, a recorded message must play within 2 seconds indicating who's calling and the number they're calling from. To give the consumer time to answer the phone, the telemarketer may not hang up before 15 seconds or four rings.
 - The use of artificial or prerecorded voice is prohibited without prior express consent of the person called or unless there is an established business relationship.
 - Caller ID transmission is required for telemarketers.
 - Unsolicited advertisements cannot be sent by fax without prior express permission in writing unless an established business relationship exists.
 - State requirements may vary from the above restrictions.
- **What are the penalties for noncompliance?**

Violators will pay a hefty price – federal fines up to \$11,000 per violation and state fines range from \$2,000 - \$25,000 per violation, as well as lawsuits filed by the person called.
- **How can I be assured of being in compliance?**

You can subscribe to a service that blocks calls to individuals who are on the Do Not Call lists. In addition, Mutual of Omaha has implemented a national solution with the help of a company called Gryphon Networks – a leading provider of automated privacy compliance solutions. The system provided through Gryphon has been successfully used in offices across the country. It's easy to use, portable, and affordable.
- **How does the Gryphon system work?**
 1. The producer calls an 800 number that connects them to Gryphon
 2. The producer enters his or her Gryphon PIN number
 3. The producer dials the prospect's phone number, including area code
 4. If the number is on one of the DNC lists, the call is blocked and the producer is informed why
OR
If the phone number is not on a DNC list, the call goes through
 5. If the prospect requests to be placed on the Mutual of Omaha DNC list, the producer can hit "#0" and the number is then added to the list.
- **What Do Not Call lists does the Gryphon system check?**

The Gryphon system checks the following Do Not Calls lists: federal, Direct Marketing Association (DMA) Telephone Preference, state, and the Mutual of Omaha internal list.

- **What telephone number will the Gryphon system show on the client/prospects' Caller ID?**

The telephone number you provide during the Gryphon enrollment process. It should be the number you primarily use for your business.

- **Do I have to use the telephone in my office to use the Gryphon system?**

No. The Gryphon system is portable and can be used in the office, at home, on a cell phone or even a payphone.

- **Am I required to use the Gryphon system?**

No, but you are required to comply with all federal and state Do Not Call requirements. Any violation of any telemarketing requirement by you could lead to corrective action, including but not limited to, cancellation of your contract and reimbursement for any fine or other penalty.

NOTE: It is illegal to use the Gryphon system to make calls on behalf of a company other than Mutual of Omaha. The Gryphon system uses Mutual of Omaha's Subscription Account Number (SAN) to access the Federal DNC List and the FTC has limited the use of a SAN to the company that has paid the annual fee.

- **What is the cost of using the system?**

Mutual of Omaha covers the costs for:

- Purchasing the necessary state and federal Do Not Call lists

You will be responsible for the Mutual of Omaha negotiated rates:

- A one-time \$30.00 Gryphon PIN License Fee
- The annual up-front fee of \$150.00 (a \$218.64 value) Per PIN Number that covers the following:
 - 12 months use of PIN Number – a \$120 value (12 months @ \$10.00 per month)
 - 150 call look-ups per month – a \$36.00 value (150 look-ups per month @ \$.02 per look up)
 - 180 minutes of telephone connection time per month – a \$62.64 value (180 minutes per month @ \$.029 per minute)

Call look-ups exceeding 150 per month will be charged to your credit card every three months or at any time when those charges reach or exceed \$50.00.

Telephone connection time exceeding the 180 minutes per month will be charged to your credit card every 3 months or at any time when those charges reach or exceed \$50.00.

- **How do I get started using Gryphon Networks?**

Use the link on Sales Professional Access (SPA) - in the Products tab under Do Not Call / Gryphon Networks system.

Once you've completed the on-line enrollment process, you will be provided your PIN Number and 800-access number.

- **What training is available on the Gryphon system?**

Gryphon has online training. Go to www.gryphonnetworks.com/training for more information. This link is also on SPA in the Products tab under Do Not Call / Gryphon system.

- **How will I be billed?**

Gryphon will charge your credit card for the annual up-front fee during the time of enrollment.

Contact Gryphon Networks at 1-866-366-6822 (select option 2) if you have any questions.