



# National Association of Health Underwriters

*America's Benefits Specialists*

**FOR IMMEDIATE RELEASE**  
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## **NAHU Statement on New Medicare Marketing Requirements**

(Arlington, VA)—Janet Trautwein, executive vice president and CEO of the National Association of Health Underwriters (NAHU), today released the following statement on the final regulation by the Centers for Medicare & Medicaid Services (CMS) relative to the Medicare Advantage and Part D Prescription Drug Programs Proposed Rule issued on May 16 on the new Medicare marketing requirements, as well as the interim final rule that addresses agent training and compensation:

“NAHU is reviewing the final rule and the proposed interim final rule, and remains committed to serving seniors in an appropriate and ethical manner. Since the passage of the Medicare Modernization Act, NAHU has been at the forefront in working with Congress, CMS and state policymakers regarding producer education and the development of marketing guidelines for Medicare-related insurance products.

“Concerning the final rule, NAHU supports the requirement that all individuals selling private Medicare policies be both state-licensed and appointed producers. It looks forward to reviewing the Medicare Marketing Guidelines for Medicare Advantage Plans, Medicare Advantage Prescription Drug Plans, Prescription Drug Plan and 1876 Cost Guidelines as they are updated and other guidance for information as to how the ban on cold-calling in the final rule relates to clients with which an agent has a preexisting relationship. Relative to the ban on cross-selling, NAHU has concerns that the lack of a clear definition of what is or is not a health insurance product could be confusing and problematic to agents. The association also would have preferred CMS to have provided a safe harbor for agents and brokers who are working with existing clients, as well as for clients who ask for specific information about other non-health insurance products during the course of a sales meeting, so that seniors who request such information could receive it in a timely manner.

“With regard to the interim final rule, NAHU is pleased to see that it calls for standardized and exam-based training for private Medicare plan producers. In addition, in terms of agent commissions, NAHU may have some concerns about the proposed definitions relative to agent compensation, although it is very supportive of level commissions in this market in general. It also appreciates CMS allowing health plans the option for a somewhat higher level commission the initial year in which a policy is written, reflecting the extra efforts to initiate a policy. We look forward to providing CMS detailed comments about our position in advance of the November 15 comment deadline.”

The National Association of Health Underwriters represents 20,000 professional health insurance agents and brokers who provide insurance for millions of Americans. NAHU is headquartered in Arlington, VA. For more information, please contact Kelly Loussedes, vice president of public relations at 703-276-3835 or [kloussedes@nahu.org](mailto:kloussedes@nahu.org).

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