

The Florida Office of Insurance Regulation (Office) developed the following worksheet to assist companies in drafting and submitting Medicare Supplement advertisements for review by the Office. The Office encourages, but does not require, the company to download, complete, scan, and upload this form as part of the form filing as it will expedite the review process. **The Office offers this worksheet as guidance only and it should not be considered a directive by the Office. The worksheet does not contain all of the requirements for Medicare Supplement advertisement filings, but instead incorporates guidance for points of law frequently overlooked in the filings.**

Medicare Supplement Advertisement Worksheet

| Statute/Rule | Description | Yes | No | N/A | Page # |
|--|---|-----|----|-----|--------|
| 69O-149.021(6)(b) | Review filing for correct product codes, properly completed UDL, inclusion of all required documents for a complete review and other requirements. Incorrect product codes and incomplete filings will be returned as incomplete with a letter of explanation. | | | | |
| 69O-149.021 | Required information to be submitted in the filing. | | | | |
| | Provide the Office with the form number(s), date(s) of approval, Florida file number(s), (e.g. FLH 01-23456), and type of coverage of all policies or other related forms to be used or issued in connection with the form(s) submitted. (no citation) | | | | |
| 69O-156.102(3) | Advertisements shall be identified by form numbers or other identifying means. | | | | |
| 69O-156.103(7), or (9), or (10), or (11) | Institutional Advertisement, Invitation to Contract, Invitation to Inquire, or Lead Generating Device defined. | | | | |
| | Specific Advertisement Type Requirements | | | | |
| 69O-156.103(10) | An <u>Invitation to Inquire</u> shall: <ol style="list-style-type: none"> 1. Create a desire to inquire about a health insurance policy, 2. Contain a provision regarding the policy’s exclusions, limitations and/or reductions. | | | | |
| 69O-156.103(10) | An <u>Invitation to Inquire</u> shall not: <ol style="list-style-type: none"> 1. Employ devices designed to create undue anxiety; 2. Exaggerate the value of the benefits available under the marketed health benefit plan; 3. State premium cost. | | | | |
| 69O-156.106 | <u>Invitation to Contract</u> – Agent Certification Form Required (when applicable) | | | | |
| 69O-156.107(8) | <u>Invitation to Contract</u> content shall be from agent and include the name of the FL licensed agent if solicitation insures a FL resident and be from agent. | | | | |
| 69O-156.108(2) | <u>Invitation to Contract</u> shall disclose exceptions, reductions, and limitations of the policy. | | | | |
| 69O-156.108(3) | <u>Invitation to Contract</u> shall disclose pre-existing conditions of the policy. | | | | |
| 69O-156.109 | <u>Invitation to Contract</u> shall disclose renewability, cancellability, and termination of the policy. | | | | |

| Statute/Rule | Description | Yes | No | N/A | Page # |
|--|--|-----|----|-----|--------|
| 69O-156.115(1) | <u>Invitation to Contract</u> shall state the form number or numbers of the policy or policies advertised. | | | | |
| All Advertisements, When Applicable | | | | | |
| 69O-156.104 | Information shall be set out conspicuously so that it is not minimized, rendered obscure or presented in an ambiguous manner or fashion or intermingled with the context of the advertisement so as to be confusing or misleading. | | | | |
| 69O-156.105(1) | Unfair or deceptive practice: cannot fail to reflect the actual role of the agent. | | | | |
| 69O-156.105(2) | Cannot make a misrepresentation or incomplete comparison of policies to induce replacement. | | | | |
| 69O-156.105(4) | All sales materials or presentations must disclose that an insurance product is involved. | | | | |
| 69O-156.107(1) | The advertisement shall be complete and clear to avoid deception, or the capacity to mislead, or deceive. | | | | |
| 69O-156.107(2) | The advertisement shall be truthful and not be misleading. | | | | |
| 69O-156.107(3) | The advertisement shall clearly identify the Medicare Supplement insurance policy/plan as an insurance policy/plan. | | | | |
| 69O-156.110 | Testimonials or endorsements by third parties. | | | | |
| 69O-156.111 | Sources of any statistic shall be accurately identified in the actual advertisement. | | | | |
| 69O-156.113 | Advertisements may not make disparaging, unfair, or incomplete comparisons and/or statements of other insurer's benefits or policies. | | | | |
| 69O-156.115(1) | The name of the actual insurer shall be stated in each advertisement. | | | | |
| 69O-156.115(7) | No advertisement shall be used that fails to include a disclaimer to the effect: "Not connected with or endorsed by the U.S. Government or the Federal Medicare Program." | | | | |
| 69O-156.115(9) | Name of the actual insurer must be presented in same size & type as letters, initials or symbols of corporate name or trademark. | | | | |
| 69O-156.115(10) | Name of the actual insurer must be presented in same size & type as agency name | | | | |
| 69O-156.117 | Introductory, initial or special offers. | | | | |
| 69O-156.118 | Statements about an Insurer by any rating system must be accurately stated on the advertisement, including the purpose of the recommendation and the limitations of the scope and extent of the recommendation. | | | | |

Additional Notes:

Please upload all documents with document titles that accurately reflect their contents including specific form numbers in the Forms To Be Reviewed section of the Universal Standard Data Letter.