



Hi Valued Partner,

To align with CMS' recently updated [Definition of Marketing](#), Devoted Health is requesting TPMOS that they use marketing or communication materials to

take the following (3) actions:

- **CMS' Updated Marketing Definition - Impacted Materials**
- **Reminder - Prior Review of Marketing Materials**
- **Current Communication Materials**

We ask that you review this communication and take any actions that apply to you.

1. CMS' Updated Marketing Definition - Impacted Materials

With this latest memo, CMS clarified that any material or activity distributed via any means (e.g., mailing, television, social media, etc.) that mentions any benefit, will be considered marketing and must be submitted in HPMS. Previously, CMS allowed “communication” materials to include benefits offered by the majority of MA plans, like dental, vision and hearing.

To comply with the CMS July 10, 2023 deadline for this requirement, Devoted Health needs all of our partners currently using such communication materials to take the following actions **no later than June 30, 2023**:

- Review all of your current “communication” materials;
- Revise any existing/active communication pieces that are now clarified as “marketing”, adding CMS marketing ID (a.k.a. “SMID”) and appropriate disclaimer(s);
- Submit these revised marketing materials to Devoted Health for review and approval PRIOR to submitting to HPMS.

Please submit these materials to agencyoversight@devoted.com; damien.cameron@devoted.com; paulomi.bhatt@devoted.com using this template for your submission: **[DH TPMO Marketing Update & Communication Survey 2023 Template](#)**.

In your email, please use “***CMS Definition - Updated Marketing Materials***” as your subject line.

2. Reminder - Prior Review of Marketing Materials:

With this recent clarification and the issuance of CMS final marketing regulations in April 2023, all marketing materials must be submitted for Devoted Health’s review and approval prior to submitting the material to CMS. Our team is committed to conducting these pre-reviews timely.

As a reminder, all materials submitted for review must meet current CMS marketing guidelines, including having a unique marketing ID (i.e. “SMID”).

Please submit any materials for pre-review to agencyoversight@devoted.com; damien.cameron@devoted.com; paulomi.bhatt@devoted.com. Please use the marketing tab of the previous template.

COMING SOON! We have heard you and we will be updating our submission process to make it easier for our partners to submit materials for review. Stay tuned!

3. List of Current Communication Materials

Finally, to ensure we have a comprehensive understanding of all

communications in the marketplace driving potential sales, we also ask that you submit a list of all active communication pieces, if any, that you currently have in the market. **We are not asking for copies of these actual communications**; however, we do want a list of all communications that you have and may later request as materials for review.

Please also submit this list of communications to us **no later than June 30, 2023**, using the template above. In your email, please use “Current Communication Materials” as your email subject line.

If you have any questions on this request and guidance, please do not hesitate to reach out to our team at damien.cameron@devoted.com or paulomi.bhatt@devoted.com.

Stay tuned for the updates concerning Devoted Health’s marketing review & submission handbook in the next few weeks.

Thanks as always for your partnership! We are here to support you and your teams through the changes and new processes.

Sincerely,

Your Devoted Sales Ops Integrity Team

(formerly “Sales Ops Compliance”)

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