

# **CMS Audit FAQ for Sales, Agents, Agencies & Distribution Partners**

**FAQ for Sales, Agents, Agencies & Distribution Partners to help address customer questions related to the CMS Audit of Cigna-HealthSpring.**

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## **AUDIT SPECIFICATIONS**

### **What happened?**

Centers for Medicare & Medicaid Services (CMS) imposed sanctions resulting in a suspension of all enrollment and marketing activities of Cigna-HealthSpring Medicare Advantage (MA, MAPD) and Prescription Drug Plans (PDP)\*. The suspension does not impact Cigna-HealthSpring benefit offerings for currently enrolled customers.

Cigna remains committed to a culture of integrity and high standards of operation. Through our resolution of the regulatory items identified by CMS, we will emerge as a stronger organization with an even sharper focus on serving our customers, distribution partners, doctors and hospitals.

Our focus remains centered on putting the customer first. Cigna is committed to achieving and maintaining full compliance and delivering differentiated value for our customers, distribution partners, doctors and hospitals. We strive to deliver the best possible experience for our Medicare customers every time and to adapt to evolving customer needs and preferences.

### **Why was Cigna audited by CMS?**

This audit was part of CMS's standard audit protocol.

## **DISTRIBUTION PARTNERS**

### **May new customers enroll in Cigna-HealthSpring Medicare Advantage and/or Prescription Drug Plans during the sanction period?**

No, Cigna cannot accept enrollments into its Medicare Advantage or Prescription Drug Plans\*, nor market to Medicare beneficiaries at this time.

- Specifically, CMS sanctions require denial of any Medicare enrollment application received by the health plan after 11:59 PM 1/21/2016, regardless of beneficiary signature date
- Cigna defines "agent received date" as equivalent to "health plan received date," therefore applications received by agents prior to 11:59 PM 1/21/2016, may be subsequently accepted

### **Will Cigna continue agent contracting and recruiting during CMS sanctions?**

Yes, Cigna and its external distribution partners may continue agent recruiting, contracting and training, to prepare to market and sell once CMS sanctions are lifted.

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## **How is Cigna addressing exclusive distribution partner contracts?**

Contract amendments are available to allow exclusive distribution partners to represent, promote or sell other entities' products while CMS sanctions are in place; the proposed amendment returns our partners to exclusive arrangements upon the lifting of sanctions.

## **What impact do CMS sanctions have on agent participation in sales and other events?**

The following sales and marketing activities are prohibited under Cigna-HealthSpring branding or signage:

- Sales events to prospective customers, whether formal or informal
- Community outreach events, including educational and health/wellness events

In other words, making reference to Cigna-HealthSpring (CHS) Medicare Advantage or Prescription Drug Plans\*, such as to endorse these plans or steer potential prospects, is prohibited under CMS sanctions.

Sales recognition events, i.e. agent events to recognize prior sales performance, are allowed, whether held by Cigna or by external distribution partners.

## **May external distribution partners draft their own communications to Cigna-HealthSpring customers with respect to the CMS sanctions?**

Yes, but only after securing approval from Cigna. All written communications to customers and others discussing the CMS sanctions require special review and approval by CMS. If you wish to consider developing your own customer communication addressing the sanctions, please contact your Cigna representative. In the near future you will receive a Question & Answer Tool that you may send to existing customers along with your own cover letter.

## **In markets where Cigna recently rebranded Medicare Advantage offerings under the Cigna-HealthSpring name, why did this rebranding happen?**

In 2012, HealthSpring joined Cigna, broadening Cigna's Medicare Advantage and Prescription Drug Plan offerings. In May of 2013, Cigna and HealthSpring publically introduced Cigna-HealthSpring, to reinforce the coming together of these two companies and to declare a shared vision of customer centricity, physician engagement, innovation and value.

Today, all Medicare Advantage plans offered by Cigna bear a Cigna-HealthSpring plan name, although in some local markets, Cigna is the primary marketing brand.

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### **When will CMS sanctions be lifted? What is Cigna doing to remedy audit findings/ violations?**

In accord with CMS procedures, Cigna submitted Corrective Action Plans (CAPs) to CMS to address each of the identified areas of concern. We have already begun the implementation of action plans and will address each of these areas as quickly and as thoroughly as possible. Our organization is committed to ensuring our customers have the excellent experience they expect and deserve, and to enabling our distribution partners to resume selling after the sanctions are lifted.

Our focus remains centered on putting the customer first. To this end, Cigna continuously seeks to improve the effectiveness and efficiency of its operations to deliver greater quality and a more affordable health care experience to all customers. Recent CMS findings confirm a need to continue to improve; we continue to engage with CMS and work to remedy the findings as quickly as possible.

Cigna is especially committed to improving self-monitoring processes, staff training and technology investments, to enhance a collective focus on remediating existing findings, mitigating recurrence, and anticipating future issues.

### **CUSTOMERS**

#### **Will Cigna offer Medicare Advantage and Prescription Drug Plans in 2017?**

Yes, Cigna will annually file Medicare Advantage and Prescription Drug Plans for 2017 and beyond, in order to continue to provide existing customers with comprehensive, competitive offerings for years to come.

#### **What do the CMS sanctions mean for existing Cigna-HealthSpring customers?**

There will be no change in Cigna-HealthSpring coverage policies or benefits for existing customers as a result of CMS sanctions.

#### **What if a Cigna-HealthSpring customer says he/she has been impacted by violations cited in the CMS audit? Will he/she be eligible for a special election period (SEP)?**

All existing Cigna-HealthSpring customers received a letter explaining details of the CMS sanctions. This letter states that any customer adversely affected by violations cited in the CMS audit, as determined by CMS, may be eligible for a Special Election Period (SEP). To determine eligibility, customers may contact 1-800-MEDICARE (1-800-633-4227) 24 hours a day, 7 days a week. TTY users should call 1-877-486-2048.

Upon customer request, CMS will determine eligibility for an SEP on a case-by-case basis. CMS determination may take up to 30 days after a customer complaint is filed. If SEP eligibility is confirmed, the affected customer may either choose to keep his/her current plan, or switch to a new plan through CMS.

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### **What if an existing Cigna-HealthSpring customer has additional questions?**

Current Cigna-HealthSpring customers may contact Cigna customer service at the following telephone numbers. TTY users may call 711.

Cigna-HealthSpring customers residing in Arizona may call 1-800-214-9027.

Cigna-HealthSpring customers residing in Miami, Florida, may call 1-866-393-5366.

Cigna-HealthSpring customers residing in all other locations may call 1-888-201-4963.

### **If a customer chooses to leave a sanctioned Cigna-HealthSpring plan, may he/she return?**

No. During the CMS sanction period, Cigna may not complete or accept enrollments into its Medicare Advantage or Prescription Drug Plans\*, including enrollment of new customers, re-enrollment of prior customers or allowing current Medicare Advantage or Part D enrollees to switch to a different Cigna-HealthSpring Medicare Advantage or Prescription Drug Plan.

### **May a customer add or drop an optional supplemental coverage such as dental?**

A customer may add or drop an optional supplemental coverage, for example, dental; such a change in optional coverage does not constitute a change in enrollment, and is therefore allowable during CMS sanctions.

### **May an existing Cigna-HealthSpring customer who is newly dual eligible for Medicare and Medicaid enroll in any Cigna-HealthSpring offering?**

No, existing Cigna-HealthSpring customers may not change plans from one existing offering to another. For example, a current customer may not shift enrollment from an HMO to an HMO SNP (special needs plan); such a shift would constitute a change in plan benefit package (PBP), and is not permitted.

### **May other Cigna senior's products be sold during sanction?**

Cigna offers a broad array of direct to consumer seniors' products, such as Cigna Medicare Supplement, which may be sold during the CMS sanction period.

## **EMPLOYER-SPONSORED COVERAGE**

### **How do the CMS sanctions affect employer-sponsored Medicare Advantage and Prescription Drug Plans, also known as employer group waiver plans (EGWP)?**

On February 4, 2016, Cigna was granted a renewable waiver, in effect through April 30<sup>th</sup>, 2016, to continue enrolling individuals into currently contracted employer-sponsored Medicare Advantage and Prescription Drug Plans. This means that Cigna-HealthSpring will continue to enroll eligible or newly eligible employer group customers (for example, so-called "age-ins" who reach the age of eligibility) into existing group contracts.

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This EGWP waiver applies to existing employer group contracts only. CMS is not permitting new Medicare Advantage or Prescription Drug Plan employer group contracts to be sold or initiated during the enrollment suspension. During the waiver period, CMS could decide to rescind the waiver if Cigna has not “satisfactorily resolved the issues that resulted in the sanction.” Cigna plans to request ongoing waiver extensions throughout the sanction period.

### **Which employer-sponsored “group” products do the CMS sanctions impact?**

Cigna-HealthSpring Medicare Advantage and Cigna-HealthSpring Rx (PDP), or EGWP (employer group waiver plan) offerings, are impacted and therefore may not be sold.

Other group retiree product offerings, including Cigna Medicare Surround (group supplement), Cigna Medicare Expand (Medicare COB), non-Part D prescription drug coverage (Cigna Pharmacy and Retiree Drug Subsidy), and dental, are not impacted.

### **Next Steps**

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Cigna continues to cooperate fully with CMS as we work to resolve each of the areas identified through the CMS audit.

We are working to strengthen existing internal quality review processes and crosschecks and remain committed to making the necessary changes to improve all identified areas of concern.

Cigna is committed to improving self-monitoring processes, staff training and technology investments, to ensure every customer receives the same high-quality health care and experience he/she expects and deserves.

### **What if additional agent questions arise regarding Cigna-HealthSpring CMS sanctions?**

External distribution partners and agents may contact Cigna-HealthSpring’s Agent Assistance Line (HAAL) at 1-866-442-7516, between the hours of 8:00 AM – 5:00 PM, CST, Monday through Friday, during Lock-In, and between the hours of 7:00 AM – 8:00 PM, CST, Monday through Sunday, during AEP.

*\*While this document commonly references “Medicare Advantage and Prescription Drug Plans,” CMS imposed sanctions on marketing and selling all of the following Cigna-HealthSpring plans: Medicare Advantage (MA) and Medicare Advantage Prescription Drug (MAPD) Plans, TotalCare Special Needs Plans (HMO SNP, aka Dual HMO), standalone Prescription Drug Plans (PDP), and Medicare-Medicaid Plans (MMP).*