



## National Association of Health Underwriters

*America's Benefits Specialists*

**FOR IMMEDIATE RELEASE**  
**September 24, 2008**

**Contact: David Smith, President NCAHU**  
**(919) 491-4321 or [david@beninslaw.com](mailto:david@beninslaw.com)**

### **NAHU Statement on New Medicare Marketing Requirements**

(Raleigh, NC) – David Smith, President of the North Carolina Association of Health Underwriters (NCAHU), has released the following statement on the final regulations 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:

“NCAHU and all of the member agents remain committed to serving seniors in an appropriate and ethical manner. Since the passage of the Medicare Modernization Act, NCAHU in conjunction with the National Association of Health Underwriters (NAHU) has been 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, NCAHU supports the requirement that all individuals selling private Medicare policies be licensed and appointed producers. We look forward to helping ensure that the final regulations, including the ban on cold-calling existing clients, remain fair and balanced. As to the issue of cross selling, NCAHU 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. We 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. This would enable those seniors that request such information receive in a timely manner.

“With regard to the interim final rule, like NAHU, the NCAHU is pleased to see that it calls for standardized and exam-based training for private Medicare plan producers. As a state association, we provide all of our member’s access to continuing education on an annual basis. We urge all of our members to stay abreast of the changes in the marketplace and help them understand those changes. It is one of the pillars upon which our organization is based. As it relates to agent commissions, NCAHU may have some concerns about the proposed definitions relative to agent compensation, although it is very supportive of level commission, in this market, in general. The somewhat higher commissions in the initial year are appreciated as it truly reflects the extra efforts required to initiate the policy. We look forward to providing CMS and our state with detailed comments about our position in advance of these regulations being finalized.”

The North Carolina Association of Health Underwriters represents 1,000 professional health insurance agents and brokers who provide insurance for hundreds of thousands of North Carolinians. Our parent organization NAHU represents 20,000 professionals and is headquartered in Arlington, VA. For more information, please contact David Smith, President of NCAHU at 919-491-4321 or [david@beninslaw.com](mailto:david@beninslaw.com).

###