

Complaints & Violations

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I. DEFINITIONS

Term	Definition
CMS	Centers for Medicare and Medicaid Services
Carrier	Insurance Company, or Plan Sponsor as defined by CMS
Company	For the purpose of this policy all references to company shall mean Medicare Advantage Specialists.
MA	Medicare Advantage
PDP	Prescription Drug Plan
Consumer	“Consumer” for the purpose of this policy refers to any of the following: Prospective or current clients, beneficiaries, policyholders, members.
Compliance Violation Tracker	Mechanism used within the Medicare Advantage Specialists processes to log and track complaints and violations.
Complaint	A complaint is a member reported grievance in relation to the sale of an insurance policy or agent behavior/service.
Violation	A violation is an action/process that is not compliant with CMS or carrier guidelines.
Marketer	Employee of Medicare Advantage Specialists who is responsible for sales, recruiting, communication, and support.

II. PURPOSE

The purpose of this policy is to ensure member complaints and agent violations are logged and handled according to CMS and carrier requirements and to demonstrate proper oversight of downline agents.

III. POLICY

Medicare Advantage Specialists will log and process reported complaints and/or violations in accordance with CMS and carrier guidelines.

IV. PROCEDURE

Direct from Consumer Complaints

When Medicare Advantage Specialists receives a complaint or grievance directly from a consumer, it will be documented on the Medicare Advantage Specialists Compliance Violation Tracker or on another preferred tracking mechanism (i.e. CRM database). Medicare Advantage Specialists will then report said complaint or grievance to the appropriate carrier or carriers. Medicare Advantage Specialists will work with the applicable carrier to ensure the complaint is processed and remediated according to carrier processes and procedures.

Carrier Reported Complaints and Violations

Medicare Advantage Specialists relies on carrier reports or communications to identify agent infractions. In the event Medicare Advantage Specialists receives complaints, member grievances, or a notice of investigation from a carrier, Medicare Advantage Specialists will assist that carrier to ensure the appropriate action is taken. All complaints or notices of investigations will be distributed to the applicable marketer or staff member who is responsible for the agent in question. The marketer or staff member will relay the information to the agent or agent's upline to ensure the agent takes the appropriate action. Communication methods will generally include an email and/or phone call.

All complaints and violations, whether received directly from the consumer or from a carrier, are tracked in order to identify risks or trends. Coaching or training is provided accordingly to ensure effective oversight. If further action is needed or the issue is especially egregious, the matter will be escalated to the Medicare Advantage Specialists VP of Sales and together with the Compliance Officer a decision will be made in regards to further disciplinary action.

Carrier Compliance Metrics

Carriers have their own specified thresholds for specific compliance metrics to measure agent compliance. These metrics can include application timeliness, rapid disenrollment rate, cancelled applications, member complaints, and PCP auto-assignments. When reports for these metrics are received, the Medicare Advantage Specialists Compliance Officer will review for trends and risk areas. If trends or risk areas are identified, and further action is deemed necessary, the compliance officer will notify the appropriate marketers or staff members responsible for the agent in question and coaching or training will be provided. Agents who consistently fail to meet certain compliance standards may face disciplinary action up to and including termination of their contract.

V. DISCIPLINARY ACTION / SANCTIONS

Those who violate this policy are subject to discipline up to and including termination in accordance with the w Sanctions and Disciplinary Action Policy. Other actions may include any of the following depending on the severity of the situation: coaching, training, completion of corrective action plans, and/or revocation of some or all of its responsibilities up to and including termination of carrier contract.