

## **53400 Marketing**

### **(a)**

Each plan shall be responsible for the conduct of all marketing activities. (Next page is 1300.54.5)

### **(b)**

Each plan shall be responsible for complying with all statutory, regulatory and contractual provisions relating to member enrollment and marketing activities.

### **(c)**

Each plan shall engage in marketing activities only after receipt of written authorization from the Department.

### **(d)**

All marketing methods and presentations shall have written authorization by the Department prior to use.

### **(e)**

All printed or illustrated material shall be approved by the Department prior to distribution to members or prospective members.

### **(f)**

All marketing orientation and training programs shall have written authorization by the Department prior to use.

### **(g)**

A prepaid health plan or marketing representative shall not adopt or utilize any

procedure to identify prospective members who have medical or psychiatric problems, other than those specifically excluded from coverage by the contract, in order to exclude such prospective members from enrollment in the plan.