

Finance Democrats Call for More Consumer Protections in Medicare Advantage

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Following Report Showing Pervasive Deceptive Marketing Tactics in Medicare Advantage, Wyden and Casey Lead Call for Reforms

Washington, D.C. – Senate Finance Committee Chair Ron Wyden, D-Ore., and Senate Special Committee on Aging Chair Bob Casey, D-Pa., led 11 Democratic members of the Finance Committee in a call for the Biden administration to implement additional consumer protections in Medicare Advantage (MA), following an increase in reports of deceptive marketing practices aimed at seniors in the program.

“We write today to urge the CMS to step up its oversight of marketing practices in the Medicare Advantage program and implement commonsense regulations to ensure beneficiaries can make informed choices about their Medicare coverage,” the members wrote. **“We share the same goal to enable the offering of MA plan choices that are valuable to seniors and people living with disabilities. Yet, our first responsibility is to protect beneficiaries and the integrity of the MA program from fraudsters and scam artists who look to take advantage of any opportunity to prioritize profits over beneficiary health and well-being.”**

The letter calls for the following steps to bolster consumer protection for seniors:

- Reinstatement of protections loosened during the Trump Administration.
- Monitor MA disenrollment patterns and use enforcement authority to hold bad actors accountable.
- Provide clear guidelines and trainings to ensure agents and brokers understand and adhere to best practices.
- Implement robust rules around MA marketing materials and close regulatory loopholes that allow cold-calling.
- Support unbiased sources of information for beneficiaries, including State Health Insurance Assistance Programs (SHIPs) and the Senior Medicare Patrol (SMP).

The letter comes amidst a dramatic increase in complaints of deceptive marketing practices, with complaints doubling between 2020 and 2021. Earlier this month, Wyden [released a report](#) that further confirmed this increase, and described tactics used by insurance companies, brokers, and third party marketers to push seniors to sign up for their plans, including deceptive mail advertisements, misleading claims about increasing Social Security benefits, aggressive in-person marketing tactics, and enrolling beneficiaries in a new plan without their consent.

The letter was sent to Centers for Medicare & Medicaid Services (CMS) Administrator Chiquita Brooks-LaSure. Joining Wyden and Casey on the letter were Senators Debbie Stabenow, D-Mich., Maria Cantwell, D-Wash., Bob Menendez, D-N.J., Tom Carper, D-Del., Ben Cardin, D-Md., Sherrod Brown, D-Ohio, Michael Bennet, D-Colo., Mark Warner, D-Va., Sheldon Whitehouse, D-R.I., Maggie Hassan, D-N.H., and Elizabeth Warren, D-Mass.

The full letter can be found [here](#).