



HHSC UNIFORM MANAGED CARE MANUAL	CHAPTER 4.12	PAGE 1 of 2
	EFFECTIVE DATE September 1, 2016	
Reporting Alleged Marketing Violations		
Version 2.0		

DOCUMENT HISTORY LOG

STATUS ¹	DOCUMENT REVISION ²	EFFECTIVE DATE	DESCRIPTION ³
Baseline	2.0	September 1, 2016	Initial version of Uniform Managed Care Manual Chapter 4.12 "Reporting Alleged Marketing Violations." Information extracted from UCMCM Chapter 4.3 Marketing and Member Materials Policy. Chapter 4.12 applies to contracts issued as a result of HHSC RFP numbers 529-08-0001, 529-10-0020, 529-12-0002, 529-12-0003, 529-13-0042, 529-13-0042, 529-13-0071, and 529-15-0001.

¹ Status should be represented as "Baseline" for initial issuances, "Revision" for changes to the Baseline version, and "Cancellation" for withdrawn versions
² Revisions should be numbered according to the version of the issuance and sequential numbering of the revision—e.g., "1.2" refers to the first version of the document and the second revision.
³ Brief description of the changes to the document made in the revision.



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I. Applicability of Chapter 4.12

This Chapter applies to Managed Care Organizations (MCOs) participating in the STAR, STAR+PLUS, CHIP, STAR Health, and STAR Kids Programs and Dental Contractors providing Children's Medicaid Dental Services and CHIP Dental Services. The term "MCO" includes health maintenance organizations (HMOs), exclusive provider organizations (EPOs), insurers, Dental Contractors, and any other entities licensed or approved by the Texas Department of Insurance.

II. Purpose

This Chapter explains reporting alleged Marketing Violations to HHSC. All MCOs contracting with HHSC are required to comply with this Chapter.

III. Reporting Alleged Marketing Violations

An MCO may file a complaint against another MCO to allege marketing violations. The MCO must submit alleged Marketing Violations for investigation to HHSC in writing utilizing the *Medicaid/CHIP Managed Care Alleged Marketing Violation Form* located in UMCM Chapter 4.12.2 following the instructions located in UMCM Chapter 4.12.1 Medicaid/CHIP Managed Care Alleged Marketing Violation Form Instructions.

The MCO accused of violating the requirements of the UMCM Chapter 4.3 Marketing and Member Materials Policy and/or the UMCM Chapter 4.13 Social Media Policy is required to cooperate with HHSC during the investigation.

HHSC will investigate all reported alleged Marketing Violations and take appropriate action. Upon written receipt of any alleged violation, HHSC will:

1. Acknowledge receipt, in writing, within five (5) Business Days from the date of the receipt of the alleged violation;
2. Begin investigation within five (5) Business Days and complete investigation within thirty (30) calendar days. HHSC may extend the time, in a reasonable manner, for investigation if there are extenuating circumstances;
3. Analyze the findings of the investigation and take appropriate action; and
4. Notify the complainant after appropriate action has been taken.