

National General Accident & Health Advertising, Promotions and Marketing Policy

NATIONAL GENERAL ACCIDENT AND HEALTH (NGAH) is committed to assuring that advertising and sales promotion materials for NGAH products are unambiguous as to purpose, and truthful and fair as to content and presentation. To ensure advertising, promotion and marketing clarity, any advertising materials, as defined below, whether created by our home office staff or by NGAH marketers, must have the written approval of NGAH prior to use. Many states mandate the filing of all advertising material, which must be approved prior to the use of any such material.

Accordingly, NGAH requires that any advertisement desired to be distributed, printed or televised be preapproved by NGAH, and where applicable, the appropriate state departments. NGAH reserves the right to require the immediate cease and desist of the use of any material distributed, printed or aired without NGAH's written pre-approval.

State laws and regulations require that advertising be complete and clear so as to avoid deception, and that such advertising must not have the capacity or tendency to mislead or deceive. Generally, discretion is left to the Commissioner of Insurance of each state to make this determination based upon the overall impression that the advertisement may reasonably be expected to create upon a person of average education or intelligence within the segment of the public to which it is directed.

What is and is not "advertising" is not always obvious. The NAIC Model Act defines the term "advertisement" to include virtually any marketing or sales practice in any medium designed to create interest in (1) an insurer, (2) a producer, or (3) an insurance product. Therefore, any question as to what is meant by the word "advertisement" will most likely be resolved in favor of considering the material as an advertisement.

NGAH broadly defines "advertisement" to encompass any materials that are used in conjunction with the marketing or sale of any NGAH product and/or service. Examples of advertising materials include:

- Articles
- Billboards
- Business cards
- Cassettes
- Direct mail letters
- E-mail, voice mail messages, fax
- Fact finders
- Flyers
- Illustrations
- Informational releases
- Letters
- Mailers
- Newsletters
- Newspaper, magazine or insert ads
- Posters
- Product brochures
- Promotional items (pens, T-shirts, etc.)
- Radio, TV, internet, all electronic media ads
- Recruiting materials
- Slide presentations
- Software
- Stationary
- Testimonials and endorsements
- Training, seminar and educational material

Note that the above list is not exhaustive. Anything that is used to create interest in NGAH or an NGAH product may be construed as advertising. Agents, Agencies, General Agents and Program Managers are obligated to assure unambiguous advertising.

Guidelines for Describing NGAH Products

These guidelines are provided to assist you in understanding the fundamentals of appropriate and accurate advertising.


- I. Materials should neither be slanted to target only those consumers whose medical conditions would otherwise prevent them from qualifying for major medical coverage, nor discourage consumers from purchasing by actively soliciting only healthy enrollees.
- II. We require all vendors and distributors to produce marketing pieces that are in accordance with the NAIC marketing guidelines. All advertisements and marketing pieces must be submitted to NGAH for approval prior to publishing. NGAH shall review all advertisement materials for compliance with State Insurance Laws. NGAH will maintain a system of control over the content, form and method of dissemination of all advertisements relating to NGAH products and/or services.
- III. Advertising should avoid statements that are blanket such as "most charges covered" or "no copays or coinsurance."
- IV. Including rates in a marketing piece makes it an "invitation to contract" vs. an "invitation to inquire". An "invitation to contract" has more rigid requirements.
- V. Advertisements for policies with premiums that are modest because of their limited coverage or limited amount of benefits shall not describe premiums as "low," "low cost," "budget" or use qualifying words of similar import. The use of words such as "only" and "just" in conjunction with statements of premium amounts when used to imply a bargain are prohibited.
- VI. Any advertisement that is an invitation to contract shall disclose the extent to which any loss is not covered if the cause of the loss is traceable to a condition existing prior to the effective date of the policy. As an example, the use of the term "pre-existing condition" without an appropriate definition or description and the relating policy limitations shall not be used.
- VII. In general, advertising and sales promotional materials should be clearly understandable by someone not knowledgeable in insurance terminology and concerns. Use proper terminology when identifying the product and make it clear that you are discussing an insurance policy. If a product is a discount plan, is not insurance or is not affiliated with NGAH, this must be clearly and unambiguously disclosed in the advertisement.

- VIII. NGAH requires clear disclosure that the final rates charged to the consumer are more than just insurance premiums and cover the costs of the association as well as other benefits and services packaged in the program, where applicable. "Premiums specific to NGAH policies are noted in the customer policy packets.
- IX. There will be the need for certain disclaimers/descriptors on marketing materials. The following are a few of the standard disclaimers used on marketing materials, as applicable:
- Limitations and exclusions may vary by state. Always refer to the policy certificate for a full list of limitations and exclusions.
 - Supplemental, Short Term, and Fixed Benefit plans should always include this disclaimer in a clear and conspicuous location in the material: THESE PLANS PROVIDE LIMITED BENEFITS.
 - When referencing National General and/or using the National General logo in relation to individual products, the underwriting company disclaimer should always be present:
 - National General Accident and Health markets products underwritten by National Health Insurance Company, Time Insurance Company, Integon National Insurance Company, and Integon Indemnity Corporation.
 - Group Self-Funded disclaimer:
 - National General Benefits Solutions Self-Funded Program provides tools for small-business employers to establish a self-funded health benefit plan for their employees. The benefit plan is established by the employer and is not an insurance product. Stop-loss insurance for the National General Benefits Solutions Self-Funded Program is underwritten and issued by National Health Insurance Company, Time Insurance Company, Integon National Insurance Company, and Integon Indemnity Corporation.
 - There may be additional disclaimers required based on product type and use.
- VIII. Advertising materials, once approved by National General Accident & Health, may only be used for their intended purposes.

If you have questions, please call us at (888) 781-0585.

Acknowledgement

I have read and understand this document, and accept and will comply with National General Accident & Health's Advertising, Promotions and Marketing Policy.


Signature 14c65ca0d062

Agent Name _____

10/18/2021

Date _____