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NABIP Secures Major Wins for Agents and Beneficiaries in CMS Final Medicare Rule

Washington, D.C. — The National Association of Benefits and Insurance Professionals (NABIP) today announced significant policy victories for agents, brokers, and the millions of Medicare beneficiaries they serve following the release of CMS’s Contract Year 2027 Medicare Advantage and Part D Final Rule.

The final rule reflects a strong alignment with NABIP’s advocacy to modernize Medicare marketing and communications regulations by reducing unnecessary administrative burden, improving the beneficiary experience, and supporting more timely, effective interactions with licensed agents and brokers, while preserving critical consumer protections.

“This rule is a clear example of what effective advocacy looks like,” said Michael Andel, Senior Vice President of Government Affairs at NABIP. “CMS repeatedly echoed NABIP’s recommendations throughout the final rule, demonstrating that the voices of agents and brokers and the beneficiaries they serve were heard.”

Below are key wins for Medicare beneficiaries and the professionals who serve them:

Reformed Marketing and Communications Rules

CMS finalized several NABIP-supported changes that improve the beneficiary experience and remove outdated barriers:

- **Elimination of the 48-Hour Scope of Appointment (SOA) Waiting Period**
NABIP strongly supported eliminating this requirement, arguing it created an unnecessary barrier to accessing information for beneficiaries. CMS finalized this removal, allowing appointments to occur immediately after an SOA is agreed upon and recorded.
- **Greater Flexibility for Educational and Marketing Events**
CMS finalized policies allowing Scope of Appointment forms to be collected at educational events and permitting marketing events to occur immediately following educational events in the same location, provided beneficiaries are clearly notified and given an opportunity to leave.
- **TPMO Disclaimer Timing Update**
CMS adopted NABIP’s recommendation to move the TPMO disclaimer from the “first minute” of a call to prior to discussing plan benefits. This change better reflects how calls actually occur, allowing for initial eligibility and demographic intake before delivering required disclosures.

Reduced Administrative Burden

Shorter Retention Period for Marketing and Sales Calls

CMS finalized NABIP’s recommendation to reduce the required retention period for marketing and sales call recordings from 10 years to 6 years.

Under the final policy:

- Years 1-3: audio recordings required
- Years 4-6: audio or complete transcript permitted
- This change brings retention requirements more in line with other federal healthcare documentation standards and helps mitigate data security risks and storage costs.

The Medicare final rule marks meaningful progress in reducing administrative burden, improving access to critical information, and aligning Medicare regulations with real-world interactions between beneficiaries and licensed professionals.

“NABIP members are on the front lines every day helping Medicare beneficiaries make informed decisions,” said Andel. “This rule ensures they can continue to do that work more effectively and efficiently, without sacrificing the protections beneficiaries rely on.”

NABIP will continue working closely with CMS to support effective implementation of these changes and provide members with the tools and guidance they need to best serve their clients. This rule also reflects the principles of NABIP’s [Healthcare Bill of Rights](#), including access, choice, and the essential role of licensed professionals in helping Americans navigate their healthcare coverage with confidence.

The full CMS Contract Year 2027 Medicare Advantage and Part D Final Rule is available [here](#).

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[NABIP](#) is the preeminent organization for health insurance and employee benefits professionals, working diligently to ensure all Americans have access to high-quality, affordable healthcare and related benefits. NABIP represents more than 100,000 licensed health insurance agents, brokers, general agents, consultants, and benefits professionals through more than 150 chapters.