



## OPERATIONAL MEMO

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<b>TITLE:</b>	<b>CONTINUOUS COVERAGE UNWIND AND MEMBER COMMUNICATIONS: TEXT MESSAGING</b>
<b>SUPERSEDES NUMBER:</b>	N/A
<b>EFFECTIVE DATE:</b>	<b>JANUARY 31, 2023</b>
<b>DIVISION AND OFFICE:</b>	<b>HEALTH PROGRAMS OFFICE, COST CONTROL &amp; QUALITY IMPROVEMENT OFFICE, POLICY, COMMUNICATIONS &amp; ADMINISTRATION OFFICE</b>
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**The Department of Health Care Policy & Financing (HCPF) cannot provide RAES and MCOs legal advice. This memo is meant to provide operational texting guidance and outline the Department’s expectations when communicating with members. For legal advice, please contact your organization’s legal counsel.**

### **Purpose and Audience:**

As a condition of enhanced funding under the Families First Coronavirus Response Act, the Colorado Department of Health Care Policy & Financing (HCPF) maintained continuous health care coverage for anyone enrolled in Health First Colorado (Colorado’s Medicaid program) or Child Health Plan *Plus* (CHP+) during the COVID-19 pandemic. When the public health emergency (PHE) continuous coverage requirement ends, HCPF will resume standard renewal processes according to federal guidance

timelines. This is referenced below as the COVID-19 PHE Unwind of the continuous coverage requirement. HCPF is partnering with our Regional Accountable Entities (RAEs) and Managed Care Organizations (MCOs) to assist in outreach to members during the renewal process. The RAEs should work closely with HCPF on their communication plans and leverage Department-created messaging to help ensure consistency in outreach. Some members will be automatically renewed based on most recent information already on file (reported information from members and/or information from other data sources), known as Ex Parte renewals. All other members will receive a renewal packet several weeks in advance of their renewal month. The packet will ask them if anything about their situation has changed, a signature to acknowledge review of the information, and may request verification to determine whether they still qualify to receive Medical Assistance. The Department's goal is to ensure those who qualify take the needed actions to remain connected to coverage and those who no longer qualify are directed to health coverage options through the Connect for Health Colorado marketplace.

As a result of the COVID-19 pandemic, many members have moved or changed their contact information. Along with traditional outreach, text messaging and email can be cost-effective and a flexible means to reach members who have indicated this is their preferred way to be reached, have been displaced by housing instability or who are otherwise difficult to contact. **Text messaging and emails will not be appropriate for all members and tailored outreach strategies are recommended to meet those members' needs based on their communication preferences.**

[Recent federal guidance](#) encourages the Department to partner with RAEs and MCOs during the renewal process. This memo provides additional operational information for RAE and MCO partners as we prepare together for the end of the COVID-19 continuous coverage requirement and return to normal renewal processes.

### **Information:**

The Department's position is that text communications about the renewal process sent by HCPF (RAEs and MCOs only at the Department's direction) are permitted under the Telephone Consumer Protection Act (TCPA) because our members have provided their cellphone numbers to the Department in relation to their eligibility for, and provision of, Medicaid. Because RAEs and MCOs will communicate with members on behalf of the Department via text messaging at the cadence indicated and with the content provided by the Department, it is the Department's position that these communications are consistent with the TCPA and prior Federal Communications Commission rulings.

As outlined in [HCPF OM 22-027](#) the Department instructed RAEs and MCOs to develop outreach plans with an emphasis on hard-to-reach populations. These plans should

include a number of outreach techniques and can include text campaigns at the direction of the Department.

The Department will issue guidance as part of the “Take Action on Your Renewal” communication toolkit for RAEs and MCOs that includes sample text messages and emails. A timeline of coordinated communication between the RAEs and MCOs and the Department is included in the Continuous Coverage Unwind Member Communications Overview Memo (HCPF OM 23-005) to ensure message coordination. In the interim, RAEs and MCOs can help members prepare by asking members to ensure their contact information is up to date. Members can update their contact information via PEAK, the Health First Colorado App, or through their local county office.

RAEs and MCOs will be responsible for outlining their member outreach strategy including an emphasis on hard-to-reach and other focus populations in their Continuous Coverage Unwind Plans. These plans must be closely coordinated with Department outreach to ensure members receive timely and consistent information at the right time in the right format, so they can take action to keep or transition to other coverage for which they qualify.

### **Best practices for using SMS text**

Members expect to receive text messages from the state and their health plans regarding actions that need to be taken to keep their coverage. The Department will issue a news release prior to returning to normal renewal processes. The news release will inform members that they may receive text messages from Health First Colorado and their health plans regarding coverage. There are several important guidelines mentioned by members and recognized as industry standards to consider when sending text messages:

#### **Perform a test of your CRM system**

The Department worked with El Paso County to perform a pilot text campaign using our own customer relationship management (CRM) system. We discovered issues with fields not matching correctly and characters not rendering properly, both of which delayed our desired send times. Our test allowed us to address these issues. RAEs and MCOs are encouraged to perform a test of their systems in advance of sending their first set of reminder messages.

#### **Notify members in advance**

To avoid confusion for members, we recommend RAEs and MCOs notify their members that they may be sending text messages if the members need to take action on their renewals. This can happen through existing communication channels: newsletters,

email updates, etc. The Department will be issuing a press release before the first set of renewals begins, notifying members that they may receive text messages from us and their health plans. If you would like to issue a localized news release, please work with the Department's Public Information Officer. Be sure to include the SMS short code that members can expect to receive text messages from in your news release.

### **Use Department-approved language**

The Department expects RAEs and MCOs to text members on behalf of the Department. Please see our Ending the COVID-19 Continuous Coverage Requirement Member Communications [Operational Memos](#) for more detail and the "Take Action on Your Renewal" toolkit. Text messages should contain the language drafted and approved by the Department that has undergone review by members, plain language experts, and our legal team. RAEs and MCOs are expected to coordinate closely with the Department on member outreach based on that member's communication preferences. Text messaging is just one tool for direct-to-member outreach. Please refer to operational memo 22-027 [here](#) for details about communications plan coordination.

### **Plan for character limits**

There is a 160-character limit per SMS text message for English. Any standard letter, symbol or space counts as a single character. Try to keep your main message at 140 characters because branding links and information about how to receive renewals assistance or opt-out of e-communication will typically take up the rest of the character count.

**Important to know:** Special characters such as emojis or non-English characters are considered non-Global Mobile Standard (non-GSM) characters. Using non-GSM characters usually changes the maximum character count to 70 characters per message. Check with your texting service provider for specific details. This is important to keep in mind with Spanish translation, which often includes special characters. Our toolkit sample SMS messages will adhere to the 140 character limits where possible.

### **Mind time of day**

Plan to send text messages during normal business hours (8 a.m.-5 p.m.). Industry research shows that 12 p.m. is the best time to send text messages regardless of the day. This time has the highest open and conversion rates.

### **Collecting metrics**

Depending on the system used to send text messages, the types of metrics available to track will differ. The Department will be tracking delivery rates, click-through rates

(where possible), and the number of people who complete their renewal at various periods throughout the reminder and renewal cycle.

### **Department Expectations for Member Communications:**

**Member Communication Preferences:** RAEs and MCOs will receive data pulls for the Continuous Coverage Unwind that include member communication preference. Please focus your electronic outreach on those who have indicated that electronic outreach is their communication preference – not every member will want to receive a text or an email. Outreach plans should consider this.

**Focus on Household Outreach:** In response to member feedback, the Department updated its mailing process to send one letter to all members in the household at one time (instead of one letter for each member of the household). Please target your outreach, including electronic outreach, by household and not by individual member.

**Do Not Text Minors:** Generally if you are texting, please target your text message outreach to the head of household and refrain from texting minors. Text message language in the toolkit will be broad enough to account for this.

### **Attachment(s):**

[HCPF OM 22-027](#) & PHE Unwind Plan Template

[HCPF OM 23-007](#) - Continuous Coverage Unwind Member Communications: Leveraging Data to Conduct Outreach

[HCPF OM 23-008](#) - Continuous Coverage Unwind Member Communications: Transitions in Coverage Guidance for RAEs/MCOs

[HCPF OM 23-005](#) Continuous Coverage Unwind Member Communications: Regional Accountable Entity & Health plan member communication coordination overview

[Update Your Address Campaign Toolkit](#)

[Preparing for Renewals Toolkit](#)

[Take Action on Your Renewal Toolkit](#)

## Other Helpful Links

[Calling and Texting Consumers Dos and Don'ts: Understanding the Telephone Consumer Protection Act](#) - January 24, 2023

[FCC Provides Guidance to Allow Critical Health Care Calls](#) – January 23, 2023

## Department Contact:

Rachel Reiter  
Policy, Communications & Administration Office Director  
[Rachel.Reiter@state.co.us](mailto:Rachel.Reiter@state.co.us)

Natalie Coulter  
Communications Director  
[Natalie.Coulter@state.co.us](mailto:Natalie.Coulter@state.co.us)

Alison Ledden  
PHE Communications Specialist  
[Alison.Ledden@state.co.us](mailto:Alison.Ledden@state.co.us)

For news release coordination:  
Marc Williams  
Public Information Officer  
[Marc.Williams@state.co.us](mailto:Marc.Williams@state.co.us)