

Immediate Release and Constructive Release Guidance & Process

If a Participating Producer wishes to sell Molina Healthcare Products under a different Agency, that Participating Producer must obtain an Immediate Release or Constructive Release. Molina Healthcare will not appoint or authorize a Participating Producer to market or sell Molina Medicare on behalf of a different Agency unless such Immediate Release or Constructive Release is obtained.

Upon the effective date of the Immediate Release or Constructive Release, Molina Healthcare has the right to appoint or otherwise authorize the Participating Producer to sell Molina Healthcare Products on behalf of a different Agency.

Notwithstanding any other provision, there will not be an Immediate Release or Constructive Release effective during the time period of October 1 – December 15 of each calendar year. If an Immediate Release or Constructive Release should have been effective during that time period, it will be effective January 1.

Immediate Release:

- An Immediate Release is a written authorization from Agency that gives authority to Molina Healthcare to release Participating Producer from the Agency's contract with Molina Healthcare.
 - An Immediate Release will be effective upon the date of its receipt by Molina Healthcare, unless received during October 1-December 15, then it will be effective January 1.
- Immediate Releases on Agency letterhead will no longer be accepted. Please complete the form which is in the Appendix Section of this Producer Guide.

Constructive Release:

In instances where an Immediate Release is not granted, the Participating Producer may request a Constructive Release. Such requests must be in writing and sent to Broker Support.

- The Constructive Release will be effective the first day of the month after 90 days has passed following receipt of the request.
- If Participating Producer requests any type of Constructive Release, Participating Producer may continue to market Molina Healthcare Products between the time of submission of the Constructive Release to Molina Healthcare and the effective date of the Constructive Release (i.e., the waiting period). However, any Compensation associated with Qualified Enrollments sold during this time will remain under the current Agency and are subject to the guidelines outlined in the Compensation section of this Producer Guide.



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- Compensation Impact:
 - **Initial Qualified Enrollment:** Any business submitted to Molina Healthcare while the Participating Producer was aligned with the previous upline will result in the appropriate overrides and commission being paid as indicated by the contracts and schedules in place.
 - **Residual:** Any renewals earned while the agent was aligned with the previous upline will result in the appropriate overrides and renewals being paid as indicated by the contracts and schedules in place.
- Overrides and commissions will be paid in accordance with the contract and schedules in place at the time of signature.
- In-order for Molina Healthcare to process a Constructive Release, the Participating Producer must fill out the Molina Healthcare Constructive Release Form, which is located in the Appendix Section of this Producer Guide. Please return completed form to MCRBrokerContracting@MolinaHealthcare.com. Upon receiving a request for Constructive Release, Molina Healthcare will also provide notice of your request to Agency.

Immediate Release and Constructive Release of Agency

Agency can only have one hierarchy. Dual hierarchies are not allowed by Molina. If any Agency wishes to sell Molina Medicare products under a different upline Agency, that Agency must obtain an Immediate Release or Constructive Release.

Requesting Appointments and Adding States

Per CMS Communication and Marketing Guidelines (110.1), compliance with state licensure and/or appointment laws is required. Participating Producers and Agencies have the responsibility to maintain state licenses, continuing education and all other state requirements. Uplines must be contracted and have the proper licenses and appointments required by applicable law.

Agencies may now add additional appointments for direct downline agencies and agents through our onboarding tool. We want to make it easier to do business with Molina Medicare, so we've added this convenient and efficient additional to our online tools.

Step 1:

- To qualify, Participating Producers must be licensed in the states where you are contracted to sell in order to be added.

