



for your information®

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## New Medicare Part D Creditable/Non-Creditable Coverage Notices Released

*Based on changes in the Medicare Part D enrollment period, CMS updated the model notices that tell plan enrollees whether their benefits are considered creditable or non-creditable in relation to Part D plans.*

### Background

The Medicare Prescription Drug Improvement and Modernization Act of 2003 requires group health plans that include prescription drug coverage to disclose annually to individuals eligible for Part D whether the plan's coverage is "creditable" (i.e., whether it is at least actuarially equivalent to Part D coverage). Most plan sponsors have used model notices issued by CMS to fulfill their notice obligations. Individuals who do not enroll in Part D coverage when first eligible, and who go 63 days or longer without creditable coverage, will have to pay higher premiums if they subsequently enroll in a Part D plan.

### New Notices

As described in our May 9, 2011 [For Your Information](#), the Medicare Part D annual enrollment period has changed to October 15<sup>th</sup> through December 7<sup>th</sup>. CMS has now updated their model notices to reflect these new dates. No other substantive changes have been made to the model notices.

The new [model notices of creditable coverage](#) and [non-creditable coverage](#) can be used immediately.

**BUCK COMMENT:** *Before the change in the enrollment period, notices had to be provided by November 15<sup>th</sup>. While the Part D enrollment period now starts October 15<sup>th</sup>, the CMS guidance still references the November 15<sup>th</sup> deadline. Plan sponsors should stay alert for further clarifications on when to distribute these notices.*

### Conclusion

Buck's consultants are available to assist you in preparing Part D notices.

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*This FYI is intended to provide general information. It does not offer legal advice or purport to treat all the issues surrounding any one topic.*