

REMINDER: Deadline Approaches for Employer Medicare Part D Disclosure and Reporting Obligations

Employers are required to take the following action related to their prescription drug coverage:

1. Provide written notification to plan participants explaining whether the coverage is "Creditable" or "Non-creditable".
2. Notify the Centers for Medicare and Medicaid Services (CMS) about the status of drug coverage no later than 60 days after the start of the employers' plan year.

The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 requires group health plans to disclose to individuals eligible for Medicare Part D whether the plan's coverage is "creditable" (i.e., whether it is at least actuarially equivalent to the Medicare Part D coverage) or not.

Individuals who do not enroll in Medicare Part D when first eligible and who go 63 days or longer without creditable coverage will have to pay higher premiums permanently when they subsequently enroll in Medicare Part D. Thus, Medicare-eligible individuals need to know the status of their plan's prescription coverage in order to make an informed decision about enrolling in Medicare Part D.

Notices to Medicare Part D-eligible individuals regarding whether prescription drug coverage is creditable or non-creditable must, at a minimum, be provided prior to the start of the annual Medicare Part D enrollment period which is October 15, 2013 through December 7, 2013.

CMS also requires employers to provide notice of their creditable-coverage status to Medicare Part D members:

- Before an individual's initial opportunity to enroll in Medicare Part D.
 - CMS considers this requirement met if the participant receives the notice each year before the beginning of the Medicare Part D annual enrollment period.
- Before the effective date of coverage for any Medicare-eligible individual who joins the employer's plan
- Whenever prescription drug coverage ends or creditable coverage status changes
- Upon request

Notices must be provided to plan participants (employees and dependents) who are eligible for Medicare Part D. Plan participants include active employees and their dependents, retirees and COBRA participants.

Employers may not have information regarding the Medicare-eligibility status of all plan participants; however, it is recommended that employers distribute the notice to all eligible participants.

[Click here](#) to view model notices on the Centers for Medicare and Medicaid Services (CMS) website or copy and paste the following URL into your internet browser:

<http://www.cms.gov/Medicare/Prescription-Drug-Coverage/CreditableCoverage/index.html>

Notices must be provided by October 14, 2013. [Click here](#) to view the "Disclosure to CMS Form" or copy and paste the following URL into your internet browser.

<https://www.cms.gov/Medicare/Prescription-Drug-Coverage/CreditableCoverage/CCDisclosureForm.html>

The notices provided on the CMS website are in PDF format. We have converted the notices to Microsoft Word format for you to tailor the notice to your needs. Click the links below to view the two notices.

[Medicare Part D Creditable Coverage Notice](#)

[Medicare Part D Non-Creditable Coverage Notice](#)

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