

Medicare Part D Notices -- Distribution Deadline Nears

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Just a reminder that the deadline is Nov. 15, 2010, to distribute the annual Notice of Creditable Coverage required under Medicare Part D. The notice informs participants whether the prescription drug coverage offered under your health plan constitutes creditable or noncreditable coverage.

The Centers for Medicare and Medicaid Services (CMS) has posted forms and instructions for providing this notice. The forms have not changed since last year. They are available, both in English and Spanish, through the following links:

- [2009 Updated Guidance](#)
- [Model Individual Notice of Creditable Coverage \(2009\)](#)
- [Model Individual Notice of Creditable Coverage-Spanish \(2009\)](#)
- [Model Individual Notice of Non-Creditable Coverage \(2009\)](#)
- [Model Individual Notice of Non-Creditable Coverage-Spanish \(2009\)](#)

Employers who sponsor a health plan offering prescription drug benefits must provide an annual notice to all Medicare-eligible participants that explains whether the prescription drug benefits offered under the plan are at least as good as the benefits offered under the Medicare Part D plan. The only employers exempt from this notice requirement are those that establish their own Part D plan or that contract with a Part D plan.

The Notice of Creditable Coverage must be provided:

- At least once a year before Nov. 15 (the start of the annual Medicare Part D enrollment period).
- Whenever a Medicare-eligible employee, spouse or dependent enrolls in your health plan.
- Whenever there is a change in the creditable or non-creditable status of your health plan's prescription drug coverage.
- Whenever an individual requests the notice.

Because it is difficult to keep track of which employees (and their spouses or dependents) are eligible for Medicare benefits, we recommend that you make the Notice a part of your new-hire enrollment materials and your annual open enrollment materials. If distributed before November 15, this should take care of the first two bullet points above.

Remember that you must also submit a Disclosure to CMS Form each year, reporting whether your prescription drug coverage is creditable or non-creditable coverage. This form must be submitted electronically within 60 days of the beginning of each plan year. Thus, if you are on a calendar year, you must submit the form by March 1, 2011. The form is available on the [CMS Creditable Coverage web site](#).

If you have any questions about Medicare Part D notifications, please contact Norbert F. Kugele at 616.752.2186 or at nkugele@wnj.com, or any other member of the Warner Employee Benefits practice group.