

Health Care Reform - Changes to the Medicare Part D Annual Enrollment Period and New Model Creditable & Non-Creditable Coverage Notices Available

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The Patient Protection and Affordable Care Act, as modified by the Health Care and Education Reconciliation Act of 2010 (PPACA) changed the Medicare Part D annual coordinated election and enrollment period to **October 15th - December 7th** beginning with the 2012 plan year. Thus, notices of creditable and non-creditable coverage to Medicare Part D eligible individuals must now be made prior to October 15, 2011 and prior to October 15th for each subsequent plan year.

Group health plans must disclose to Medicare Part D (prescription drug) eligible individuals whether the group health plan provides creditable or non-creditable coverage. Creditable coverage means that the group health plan's coverage is at least actuarially equivalent to Medicare Part D prescription drug coverage.

The previous Medicare Part D annual coordinated election and enrollment period was November 15th - December 31st. Accordingly, group health plan sponsors provided a notice of creditable or non-creditable coverage to eligible individuals prior to November 15th each year.

The Centers for Medicare & Medicaid (CMS) recently posted revised Model Disclosure Notices for use on or after April 1, 2011 with the new October 15th - December 7th enrollment period disclosure. These notices replace the model notices for use on or after January 1, 2009. Group health plan sponsors using the CMS Model Disclosure Notices should replace their notices with the new model notices and those sponsors with customized notices should update their notices to reflect the new enrollment period.

Please contact any of the attorneys in the Dinsmore & Shohl Compensation and Benefits Practice Group listed on the upper right if you have questions about your Medicare Part D notice obligations.

The CMS new Model Disclosure Notices can be found on the [CMS website](#) and are attached below:

[Model Disclosure Notice #1](#)

[Model Disclosure Notice #2](#)