



COMPLIANCE

ALERT!

February 9, 2014

Upcoming CMS Medicare Part D Disclosure Deadline – March 1

Each year the Medicare Modernization Act (MMA) requires employer sponsored group health plans that offer prescription drug coverage to disclose the plan's creditable coverage status to their Medicare eligible employees and dependents as well as to the Centers for Medicare & Medicaid Services (CMS). With the main employee notification requirement met this past October, the CMS disclosure deadline is due on or before March 1 for calendar year plans. To assist employers with these notifications this alert provides a general summary of the Medicare Part D requirements including:

- A review of the employers impacted by Medicare Part D
- Distribution of the creditable coverage status notice
- The CMS Creditable Coverage Disclosure Online Form and timing

If you have any questions or need further details about the creditable coverage disclosure requirements, please contact your Trion account team.

Employers Subject to Medicare Part D

Employers subject to the Medicare Part D notification guidelines are those employers who offer prescription drug coverage to their active employees or retirees, and those who have Medicare eligible employees or dependents covered under their prescription drug plan.

Creditable Coverage Status Notice

To review, Medicare eligible employees and dependents are to receive a creditable coverage status notice each year prior to the annual Medicare Part D open enrollment which begins October 15. In addition to this yearly distribution the notice must also be provided when a Medicare eligible individual joins the plan and if the plan's creditable coverage status changes. This disclosure is to be provided to Medicare eligible active working individuals and their dependents covered under your prescription drug plan and any retirees and their dependents. For

more details on the creditable coverage notice requirement please see the Medicare Part D Creditable Coverage Notice Trion Compliance Alert which is available [here](#).

CMS Creditable Coverage Disclosure

In addition to the creditable coverage status notice, employer sponsored group health plans are also required to submit the “Online Disclosure to CMS Form” to CMS on an annual basis. This disclosure provides CMS with current information regarding the plan's creditable coverage status including general employer information, the number of prescription drug plans offered and their creditable coverage status, the number of Medicare Part D individuals covered under the plan, and the date that the annual creditable coverage notice was distributed.

An employer is required to complete the online disclosure on the CMS Creditable Coverage Disclosure web page with electronic filing being the sole method for compliance with the disclosure requirement. The only exception to the online disclosure is for an employer that does not have internet access. To access this page directly, [click here](#).

Timing of Creditable Coverage Disclosure

The Online Disclosure to CMS Form is to be completed within 60 days after the first day of each plan year. For example, the first day of a 2014 calendar year plan is January 1, 2014. The disclosure deadline is 60 days after the first day of the plan year and therefore, the notice for this plan is to be filed with CMS no later than March 1, 2014.

In addition, if during the plan year any prescription drug plan coverage change affects the plan's creditable coverage status a new disclosure form must be filed with CMS within 30 days.

Additional Guidance

To assist you in completing the Online Disclosure to CMS Form, instructions are provided in the publication *Creditable Coverage Disclosure to CMS Form Instructions and Screen Shots*. This guide is available on the CMS website. To access the publication directly, [click here](#).

Information regarding the Creditable Coverage requirements under the Medicare Prescription Drug, Improvement, and Modernization Act are also available on the CMS website. To access this site directly, [click here](#).

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