

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, Maryland 21244-1850



## **CENTER FOR BENEFICIARY CHOICES**

---

Date: May 12, 2006

To: Prescription Drug Plans  
Medicare Advantage Plans  
1876 Cost Plans  
PACE Organizations

From: Gary Bailey, Deputy Director  
Center for Beneficiary Choices

Subject: Exception to Enrollment Opportunity Rules

As discussed at the May 10 MA/PDP Operational User Group Call, we have recently received reports that some beneficiaries have chosen to disenroll from a plan--which constitutes an enrollment choice--without enrolling in another plan at the same time. These beneficiaries might have intended to enroll in a different plan, but didn't take this action immediately. When they later tried to enroll in a different drug plan, they weren't able to because they had used their one chance to change their drug plan choice. To address situations where this may have occurred, CMS is directing plans to accept such enrollment requests, even if individuals had otherwise used up their enrollment opportunities under the mistaken impression that they could later select a different plan.

To implement this exception and ensure successful processing, plans should submit enrollment requests received at this time (in May) with an "S" election type. For previously submitted transactions that rejected due to election limits exceeded (Transaction Rejection Code 108), you may resubmit these as "S" election types:

- If you have NOT notified the individual of this rejection, you may resubmit the enrollment immediately.
- If you HAVE notified the individual of this rejection, you may resubmit only after contacting the individual and confirming continued intention to enroll in your plan. You do not need to collect another enrollment request; simply document the contact and add this documentation to your records. We expect such enrollments to be submitted by May 22, in order for effective drug coverage to be available on June 1.

If you have any questions, please contact Randy Brauer at (410) 786-1618. For question on specific transactions, please contact the MMA Help Desk at [MMAHelp@cms.hhs.gov](mailto:MMAHelp@cms.hhs.gov) or call 1-800-927-8069.