



# Section 504; Equal Access for All Beneficiaries



*Cynthia Anderson, PMP, MPA  
Section 504 Program Manager,  
Offices of Hearings and Inquiries,  
Office of the Director, CMS*

**June 16, 2016**

# Today's Discussion

- A reminder... what is Section 504?
- What are your obligations?
- What do we expect?
- Next steps

# A reminder...What is Section 504?

## Section 504 of the Rehabilitation Act of 1973

- Requires agencies to provide individuals with disabilities an equal opportunity to participate in their programs and benefit from their services, including the provision of information to employees and members of the public.
- Agencies must provide appropriate auxiliary aids where necessary to ensure an equal opportunity.
  - Types of auxiliary aids may include braille or large print versions of materials, electronic diskettes, audiotapes, qualified interpreters or readers, telecommunications devices to be able to communicate with deaf persons (TDDs), captioning of video, and other methods of making information available and accessible to persons with disabilities.

# A reminder...What is Section 504? (cont.)

- In considering what type of auxiliary aid to provide, agencies must give primary consideration to the request of the individual with a disability and shall honor that request, unless it can demonstrate that another effective means of communication exists.

For additional information: [Discrimination on the Basis of Disability | HHS.gov](http://www.hhs.gov/civil-rights/for-individuals/disability/index.html)  
(<http://www.hhs.gov/civil-rights/for-individuals/disability/index.html>)

# In other words...

- Anyone who receives federal financial assistance, including Medicare Advantage and Part D plan sponsors, must:
  - Ensure that persons with a qualified disability can fully participate in our programs and receive information in a format that meets their needs, and
  - Let them know that they have that option and how to request it.

# What are your obligations?

Medicare Advantage and Prescription Drug plans are required to comply and

- Provide alternative formats for:
  - Documents
  - Services
  - Languages
- Ensure beneficiaries are made aware of their rights

# Specifically...

You will...Market consistent with the CY2016 Medicare Marketing Guidelines (HPMS memos 06/02/2015, 8/13/2015)

## **I. Individuals with Disabilities - Anti-Discrimination – Medicare Advantage Organizations, Part D Sponsors, and Cost Plans**

- Provide basic services and information to individuals with disabilities, upon request.
- Make available all plan materials and information, including those produced or distributed by contracted providers, in alternate formats (e.g., braille, large print, and audio) to individuals with disabilities upon request.

(HPMS memo 09/09/2014, *Medicare Marketing Guidelines*, Section 30.4)

# What do we expect?

- Follow CMS Guidelines
  - Standard alternative formats are: Braille, Large Print (18 pt. font), Data CD, Audio CD, Qualified Reader
- Post a notice on your website
- Insert language in marketing materials
- Respond to customer questions and proactively ask for preferred communication format



# Next Steps

- Additional instructions and guidance for managed care and plan sponsors forthcoming, including “best practices”
- CMS expansion of monitoring projects to include compliance to alternative format requirements

# Why is this important?



# Thank you!

- Cyndy Anderson
  - [cynthia.anderson@cms.hhs.gov](mailto:cynthia.anderson@cms.hhs.gov)

