

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



MEDICARE ENROLLMENT & APPEALS GROUP

DATE: August 19, 2020

TO: All Medicare Advantage (MA) Plans and Medicare Advantage Prescription Drug (MA-PD) Plans

FROM: Jerry Mulcahy, Director, Medicare Enrollment and Appeals Group
Center for Medicare

Cathy Carter, Director, Enterprise Systems Solutions Group
Office of Information Technology

SUBJECT: Allow End Stage Renal Disease (ESRD) Beneficiaries to Enroll in Medicare Advantage (MA) and Medicare Advantage Prescription Drug (MAPD) Plans

Section 17006 of the 21st Century Cures Act (Cures Act) ([Pub. L. 114-255](#)) amended the Social Security Act to expand enrollment options for individuals with End Stage Renal Disease (ESRD). Historically, individuals with ESRD have generally been prohibited from enrolling in Medicare Advantage (MA plans). The Cures Act removed this prohibition effective for plan years beginning on or after January 1, 2021. Therefore, effective January 1, 2021, ESRD beneficiaries will be permitted to enroll in an MA plan. Enrollments submitted for a January 1, 2021 (or later) effective date, cannot be denied by MA organizations due to a beneficiary's ESRD status. To note, CMS has removed the question about ESRD status from the 2021 model enrollment form.

Currently, the Medicare Advantage Prescription Drug (MARx) system rejects enrollment transactions for ESRD beneficiaries. With the statutory change to allow ESRD beneficiaries to enroll in MA plans, MARx will accept enrollment transactions submitted for a January 1, 2021 (or later) effective date.

We ask MA organizations to make conforming changes to accept enrollments from ESRD beneficiaries for January 1, 2021 (or later) effective dates. Examples of these conforming changes can be removing enrollment rejections in your internal systems based on ESRD status and training personnel on this policy change.

Questions or concerns about this memo should be directed to the MAPD Help Desk at MAPDHelp@cms.hhs.gov, or 1-800-927-8069.