

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



CENTER FOR DRUG AND HEALTH PLAN CHOICE

DATE: January 7, 2010

TO: Part D Plan Sponsors

FROM: Anthony Culotta, Director
Medicare Enrollment and Appeals Group

SUBJECT: Medicare Prescription Drug Benefit Manual: Chapter 4 Creditable Coverage
Period Determinations and the Late Enrollment—UPDATED GUIDANCE

The Centers for Medicare & Medicaid Services (CMS) has released an update to the existing Creditable Coverage Period Determinations and the Late Enrollment Penalty (CC/LEP) guidance (Chapter 4 within the Medicare Prescription Drug Benefit Manual).

The update has been revised to clarify the policies in a number of areas and incorporate the previously released HPMS guidance pertaining to CC/LEP:

- Updated Guidance on Creditable Coverage Period Determinations and the Late Enrollment Penalty (April 11, 2008);
- Reporting Creditable Coverage Information for Former Plan Members (November 26, 2008); and
- Updated Attestation Forms for Reporting Creditable Coverage (January 14, 2009).

In addition, the update has undergone several formatting improvements. Therefore, CMS has provided a document summarizing the changes in each section.

The update and the summary of changes are posted on the web at:

http://www.cms.hhs.gov/MedicarePresDrugEligEnrol/02_CreditableCoverageLateEnrollmentPenalty.asp#TopOfPage.

The revised Chapter 4 is effective with enrollment applications received on or after April 1, 2010. However, Part D plan sponsors may, at their discretion, implement any aspect of this guidance prior to the required effective date.

Any questions regarding this guidance should be directed to the Part D Late Enrollment Penalty electronic mailbox, LEP@cms.hhs.gov, with a copy to your CMS plan account manager.