



MEDICARE ENROLLMENT & APPEALS GROUP

DATE: December 1, 2014

TO: Medicare Advantage Organizations
Medicare Prescription Drug Plan Sponsors
State Health Insurance Assistance Programs

FROM: Arrah Tabe-Bedward
Director, Medicare Enrollment & Appeals Group

SUBJECT: Enrollment Opportunities for Individuals Affected by the Winter Storms in Western New York

The purpose of this memorandum is to provide guidance about enrollment opportunities for Medicare beneficiaries affected by the winter storms in western New York. The Centers for Medicare & Medicaid Services (CMS) understands that many Medicare beneficiaries have been affected by these storms and wants to ensure that all beneficiaries are able to compare their options and make enrollment choices for 2015. To the extent possible, CMS encourages all beneficiaries to make their enrollment choices by December 7. This will ensure that their enrollment in health and prescription drug coverage is in place for January 1, 2015.

Individuals affected by these winter storms who are unable to make a plan selection by December 7 can still enroll in health and prescription drug coverage for 2015 by calling 1-800-MEDICARE (1-800-633-4227) anytime, 24 hours a day, 7 days a week. TTY users should call 1-877-486-2048. Representatives at 1-800-MEDICARE have information available to help beneficiaries review their plan options and make a choice, and can complete an enrollment even after December 7.

Beneficiaries impacted by the storms who contact plans after December 7 to request enrollment should be directed to call 1-800-MEDICARE. To assist plans with answering beneficiary questions and understanding this special opportunity, CMS is providing a frequently asked question (FAQ) document with topics including beneficiary-centered inquiries, marketing and communication, special opportunity general information, enrollment processing, and the effects of the storms on plan operations (Attachment 1). To accompany the FAQs, CMS is also providing phone scripts that plans may use when discussing the special opportunity with current or prospective members (Attachment 2).

For questions, please contact Jeff Maready at Jeffrey.Maready@cms.hhs.gov and copy your CMS Account Manager.

**Winter Storms in Western New York
Enrollment and Operations Issues -- Frequently Asked Questions
December 1, 2014**

Beneficiary Questions

Q. 1. Where can I go if I need additional information about the Open Enrollment Period?

A. You can contact 1-800-MEDICARE (1-800-633-4227) anytime, 24 hours a day, 7 days a week with any questions. TTY users should call 1-877-486-2048.

Q. 2. What will happen to my enrollment request that I already submitted to a Medicare plan?

A. The plan you selected should contact you to let you know that you've been enrolled. If they haven't sent you a letter or called you, call the plan and ask them about your status.

Q. 3. Can I have more time to choose health or prescription drug coverage for 2015?

A. If you have been affected by the winter storms in western New York and cannot make an enrollment request by the end of Open Enrollment, you can still make an enrollment request after December 7. Just call 1-800-MEDICARE and ask for assistance.

Q. 4. Do I have to show proof that I live in an area affected by the winter storms in western New York?

A. No. The opportunity to enroll in a plan for January 1, 2015, after Open Enrollment ends on December 7 applies to all individuals who were affected by the winter storms in western New York, including those individuals who don't live in the affected area but rely on help making healthcare decisions from friends or family members who live in the affected areas.

Q.5. If I call 1-800-MEDICARE to enroll in a plan after December 7, when will my coverage start?

A. CMS will review each request on a case-by-case basis to determine what action is appropriate in each individual's situation. In most cases, you will be enrolled in your plan for the first of the month after you make the enrollment request. So, if you call 1-800-MEDICARE to enroll before December 31, 2014, your coverage will start January 1, 2015.

Marketing and Communications

Q. 1. Can plans market this special opportunity to individuals affected by the winter storms in western New York who might want to enroll in their plan?

A. No. This is a special opportunity for beneficiaries to make enrollment choices that they would have otherwise made during the Annual Enrollment Period but were unable to do so due to the winter storms in the western New York region. This is not an opportunity for plans to continue marketing for the 2015 calendar year.

Q. 2. Will CMS be allowing marketing events to occur after December 7, 2014 in areas impacted by the winter storms?

A. No. This is not an opportunity for plans to continue marketing for the 2015 calendar year. The opportunity afforded by the December 1, 2014, memorandum is a special opportunity for beneficiaries to make enrollment choices that they would have made during the Annual Enrollment Period if not for the effects of these winter storms.

Q. 3. We want to share the December 1st memorandum with our brokers and sales agents as well as displaying it on our website; is this acceptable?

A. The purpose of the December 1 memorandum titled “Enrollment Opportunities for Individuals Affected by the Winter Storms in Western New York” was to inform MAOs and PDP sponsors that beneficiaries affected by the winter storms have an opportunity to enroll after December 7, 2014 and may contact 1-800-MEDICARE for help in reviewing plan options and making a choice. The memorandum may not be used as an opportunity for agents or plans to extend their marketing efforts.

Q. 4. Are plans permitted to mention this enrollment opportunity in their marketing materials or on their website?

A. No. This would be seen as marketing to or coaching the individual inappropriately.

Q. 5. If plans receive an enrollment request after December 7 from an individual impacted by the winter storms in western New York, can plan staff conduct a warm transfer to 1-800-MEDICARE to assist the beneficiary?

A. No. Plans should instruct the individual to call 1-800-MEDICARE. CMS is providing a telephonic script for plans to use for this situation.

Q. 6. Will CMS be releasing guidance on how plans can notify members of the special opportunity being offered to beneficiaries impacted by the storm?

A. If individuals are attempting to enroll after December 7, 2014 and indicate that they didn't enroll during the AEP because of the winter storms in western New York, plans should instruct those individuals to call 1-800-MEDICARE. CMS is providing a telephonic script for plans to use for this situation.

General Questions about the Special Opportunity

Q. 1. How long do beneficiaries have to enroll using the special enrollment opportunity afforded by the HPMS memorandum from December 1, 2014?

A. The 1-800-MEDICARE customer service representatives (CSRs) and CMS caseworkers will review each request individually to determine the appropriateness of the opportunity afforded by the December 1, 2014, memorandum in each situation.

Q. 2. If an enrollment request is received after January 1, 2015, is there a special SEP that would apply?

A. Plans should address each such application according to the policies in Chapter 2 of the Medicare Managed Care Manual or Chapter 3 of the Medicare Prescription Drug Benefit Manual, as appropriate, including rejecting those enrollment requests that don't have a legitimate enrollment period available at the time of the request. For individuals who indicate that they were impacted by the winter storms in western New York, plans should instruct the individual to call 1-800-MEDICARE.

Q. 3. There may be some delays in plans receiving late enrollment penalty (LEP) attestations, out of area (OOA) responses, outbound enrollment verification (OEV) related cancellation requests, and other enrollment-related communications. Should plans refer these requests to 1-800-MEDICARE as well?

A. No, the plan should not refer these requests to 1-800-MEDICARE. If a plan is having (or had) difficulty in these areas subsequent to the winter storms in western New York, they should contact CMS via their account manager or the [PDP Enrollment mailbox](mailto:PDPENROLLMENT@cms.hhs.gov). (PDPENROLLMENT@cms.hhs.gov) and explain what area is out of compliance, how far out of compliance the plan was (e.g. how many days past the required timeframe were items being processed), for how long this lasted, and whether the issue continues or has been resolved.

Enrollment Processing

Q. 1. How will plans receive the enrollment requests made by individuals affected by the winter storms in western New York who are using the special opportunity afforded in the HPMS memorandum from December 1, 2014?

A. The 1-800-MEDICARE CSRs and CMS caseworkers will process the enrollment requests through the Medicare OEC. Plans will receive these enrollment requests in the usual OEC download (which plans should be doing at least daily) and will be processed by the plan as usual.

Q. 2. How will plans get the enrollments that 1-800-MEDICARE processes in the OEC for those individuals affected by the winter storms in western New York?

A. Each plan will receive the enrollments in the usual OEC downloads (which plans should be doing at least daily). The enrollments will be processed using the "OTH" code and will have accompanying text from the "CMS use only" field that says "Western NY" (or some variation such as "snow NY," "NY," etc.).

Q. 3. When submitting these western New York enrollment requests received through the Medicare OEC to CMS, would the plan submit an “O” on the enrollment transaction?

A. The plan would submit the enrollment transaction using the data in the enrollment request as they would any other enrollment request received through the OEC. In this case, as the “OTH” code indicates an SEP, the plan would use the “S” election type code in the enrollment transaction to CMS.

Q. 4. Will plans receive the enrollment requests made by individuals affected by the winter storms in western New York using the opportunity afforded in the HPMS memorandum from December 1, 2014 as 700-series transactions on a Transaction Reply Report (TRR)?

A. No. The enrollment requests made by individuals affected by the winter storms in western New York using the opportunity afforded by the HPMS memorandum from December 1, 2014, will come to plans in the usual OEC download (which should occur at least daily).

Q. 5. Will the enrollments made using the opportunity afforded by the December 1, 2014 memorandum affect a plan’s complaint tracking module (CTM)?

A. Any enrollments made using this special opportunity will not be received by the plan through the CTM. As with any other member rights and protections, the individual using this opportunity can still file complaints through the CTM.

Q. 6. Can plans use the postmark as the received date or application date for enrollment requests received after the winter storms in western New York for a December 1 effective date?

A. Please follow these instructions when processing enrollments received after the winter storms:

- For those enrollments postmarked November 30, or earlier that are requesting an effective date of December 1, 2014, please use the postmark as both the application date for the purpose of the MARx transaction and the receipt date for the purpose of determining election period and effective date.
- For those enrollments requesting an effective date of January 1, 2015, please determine the application date and received date normally.

Requested Enrollment effective date	Postmark	Application Date	Receipt date used to determine the election period and effective date
Dec 1, 2014	November 30, 2014 or earlier	Use the postmark date.	Use the postmark date.
	No postmark	Use the date the enrollee signed the application.	Use the date the enrollee signed the application.
January 1, 2015	Any postmark	Use the procedures for determining the application date established in the enrollment guidance chapters.	Use the procedures for determining the received date established in the enrollment guidance chapters.

If you encounter any scenarios that fall outside of these parameters, please contact CMS for further instruction.

General Questions about Impacts on Plan Operations

Q. 1. How will CMS address CTMs related to delays in services, etc. due to the winter storms in western New York? Will they be deemed plan controllable?

A. Consistent with any issue that may take a plan out of compliance, CMS needs specific details in order to evaluate the situation and where applicable, extend flexibility in meeting Medicare requirements. A plan should follow up with its account manager with any questions about CTM issues related to the winter storms in western New York.

Q. 2. How will CMS address issues related to the winter storms in western New York and Star Ratings?

A. Plans need to contact CMS through the [Part C](mailto:PartC@cms.hhs.gov) or [Part D](mailto:PartDmetrics@cms.hhs.gov) Ratings mailboxes (PartCratings@cms.hhs.gov or PartDmetrics@cms.hhs.gov) if they believe their operations and/or clinical care have had major issues as a result of the storm that would impact the Star Ratings measures. Each plan's situation is unique, so each plan needs to provide a detailed description and justification for each measure for which they are claiming an impact. This justification must include information about why the plan thinks the measure is impacted and for how long. In addition to contacting CMS, plans should also work closely with NCQA and their HEDIS auditors to discuss potential options, if necessary.

CMS will consider a variety of strategies to address issues related to the winter storms in western New York and the Star Ratings measures, including alternative sampling approaches, changing timeframes of measurement, and reversion to last year's score if a

Attachment 1

majority of enrollees are in the impacted areas and it is determined that alternative strategies will not be feasible.

**Winter Storms in Western New York
Phone Scripts for Plan Use
December 1, 2014**

Purpose:

The purpose of this phone script is to assist plans in addressing inquiries received by current and prospective members regarding enrollment after the end of the Annual Election Period.

Script: December 8, 2014 to December 31, 2014

The Medicare open enrollment period ended on December 7. If you, or someone you rely on for help with Medicare decisions, were affected by the winter storms in western New York, Medicare can help. If the winter storms caused you to miss the enrollment deadline, you can still make a plan choice for 2015. Medicare will help you enroll in a plan. If you call before December 31st, your coverage will start January 1, 2015.

To enroll in a plan for 2015, you need to call 1-800-MEDICARE. That's 1-800-633-4227. You can call them 24 hours a day, 7 days a week, to get help. When you call, mention that you were affected by the winter storms in western New York and you were unable to enroll in a plan for 2015.

Script: After December 31, 2014

The Medicare open enrollment period ended on December 7. If you, or someone you rely on for help with Medicare decisions, were affected by the winter storms in western New York, Medicare can help. If the storm caused you to miss the enrollment deadline, you can still make a plan choice for 2015. Medicare will help you enroll in a plan and will assist you with the start date of your new coverage. Usually your coverage will begin the first day of the month after you enroll.

To enroll in a plan for 2015, you need to call 1-800-MEDICARE. That's 1-800-633-4227. You can call them 24 hours a day, 7 days a week, to get help. When you call, mention that you were affected by the winter storms in western New York, and you were unable to enroll in a plan for 2015.