

CMS Medicare-approved Drug Discount Card Bulletin #19 – February 4, 2005

Clarification of Vioxx®-related instructions

If more than one VIOXX® prescription or refill was dispensed to a Vioxx® patient during the eligible refund months of June –September 2004, sponsors are to supply "Receipt-specific" information for the last VIOXX® prescription of any quantity ONLY, and dose strength or formulation dispensed during that time period.

If you have questions please feel free to contact Peggy Sparr (410-786-0355) or msparr@cms.hhs.gov.

Policy Regarding Required Language/Disclaimers for Post Enrollment Material

Non required Post Enrollment materials – such as reminders to use your discount card – are exempt from having to include information and/or required language/disclaimers for the subject areas listed below.

In many cases, disclaimers and required language for specific subject areas are required in pre-enrollment materials in order to assist the potential beneficiaries in making an informed decision. However, because post-enrollment materials are directed to members who have already chosen an Endorsed Card Program, the disclaimers and required language in the subject areas listed below are not required for post enrollment materials.

Disclaimers and required language for the following subject areas are covered by the above exemption:

1. Program Description (Guidelines, Page 51, Row 1)
2. Discount on Prescription Drugs (Guidelines, Page 54, Row 1.d)
3. Contracted Network Pharmacies (Guidelines, page 55, Row 2)
4. Benefits while Traveling – unless the material specifically deals with this subject, in which case all required language must be included. (Guidelines, Page 55, Row 2.a)
5. Mail Order Information – unless the material specifically deals with this subject, in which case all required language must be included. (Guidelines, Page 56, Row 3)
6. Eligibility (Guidelines, Page 56, Row 8)
7. Enrollment (Guidelines, Page 59, Row 9)

In order for materials to qualify for this exemption, Sponsors must note on submission forms that said material is being used for post enrollment purposes. This information can be noted in the comments column.

NOTE: All required language and disclaimers for subject areas not noted above, but listed on pages 51 through 62 of the Information and Outreach Materials Guidelines,

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are still required for post-enrollment materials when applicable. Further, all required materials or materials specifically noted in the aforementioned pages of the Guidelines do not receive a subject area language or disclaimer exemption.