



CENTERS FOR MEDICARE AND MEDICAID SERVICES

TO: All Part D Plans

FROM: Cynthia Tudor, Ph.D., Director, Medicare Drug Benefit Group
Cynthia Moreno, Director, Plan Oversight and Accountability Group

DATE: December 3, 2007

SUBJECT: Addition of Formulary Consultant Access for Formulary and Negative Change Request Submissions

Beginning January, 2008, CMS will distinguish between Formulary Contact and Formulary Consultant access in HPMS. Plans may designate a Formulary Consultant to submit Part D formularies and Formulary Negative Change Requests to HPMS on their behalf. CMS will grant Formulary Consultants the appropriate level of HPMS access if the designee is employed by a subcontractor to a Part D sponsor (hereafter referred to as an organization) for a delegated Part D function such as a pharmacy benefit manager (PBM).

In order to take advantage of this functionality, the designated Formulary Consultant must have HPMS access and your organization must submit a request granting the Formulary Consultant permission to make submissions for your contract(s). A Formulary Consultant will only be granted access to submit formularies and Formulary Negative Change Requests to HPMS. No additional access to other parts of HPMS can be granted to a Formulary Consultant.

This memo provides the instructions for requesting and obtaining access to HPMS as a Formulary Consultant. This type of access is distinct from the Formulary Contact and organizations should continue to designate Formulary Contacts. The Formulary Contact will continue to have access to the organization's formulary and contract information while the Formulary Consultant will be restricted to submission of formularies and negative change requests to HPMS.

Submitting a Request for a New HPMS User

If the Formulary Consultant does **not** have access to HPMS, the plan's subcontractor should follow these steps:

- Download the *Application for Access to CMS Computer Systems* form from <http://www.cms.hhs.gov/InformationSecurity/Downloads/EUAaccessform.pdf>.
- Complete the form as follows:

- Section 1 – Check “New” as the type of request.
- Section 2 – Check “Medicare Advantage / Medicare Advantage with Prescription Drug / Prescription Drug Plan / Cost Contracts – Using HPMS Only”.
- Section 3 – Enter the contract number(s) for which you will be submitting formularies.
- Section 4 – Check the first row beneath the "Default Non-CMS Employee" row (i.e., place a check in the Connect box of the third row). On the blank line beside your check mark, write "HPMS_P_CommUser".
- Section 5 – State briefly that you require HPMS access to act as a Formulary Consultant. Also indicate whether you are employed by the contracting organization or whether you are under contract as a formulary consultant/PBM with the contract organization(s).
- Section 6 – Leave blank.
- Sign and date the Privacy Act Statement on page 3 of the form. Also enter your name and Social Security Number at the top of page 3. This step is critical to ensuring the successful processing of your request.

Please note that there is an additional critical step for Formulary Consultants who are not a direct employee of your contract. In addition to the *Application for Access to CMS Computer Systems* form, the Medicare Compliance Officer from your organization **must submit to CMS an official letter granting permission for the Formulary Consultant to act on your behalf.** This letter must specify the contract number(s) and indicate that the applicant will be acting as a Formulary Consultant on behalf of your organization. In addition, the letter must be provided on your organization’s official letterhead and signed by a senior official.

NOTE: If a Formulary Consultant is serving multiple organizations, only one CMS user access form is required, but **a letter must be provided from each organization for which the Formulary Consultant will be serving as an agent in HPMS.** At least one letter from a sponsoring organization must be submitted in order for a Formulary Consultant request for HPMS access to be processed.

CMS recommends the use of the following sample language in your letter:

(Name of Organization) hereby requests that *(Name of Formulary Consultant)* with the firm of *(Name of Consulting Firm)* requires HPMS Formulary Consultant access to submit formulary information on our behalf. *(Name of Consultant)* requires access to the following contract number(s): *(list specific contract numbers)*.

Submitting a Request for an Existing HPMS User

If the Formulary Consultant already has access to HPMS, the following steps should be taken:

- Do NOT resubmit the user request form.

- The Medicare Compliance Officer of each organization for which the plan's subcontractor is under contract as a Formulary Consultant must submit an official letter to CMS granting the Formulary Consultant authority to use HPMS on your behalf. Specific instructions on the contents of the official letter are provided in the previous section and must be followed.
- In addition, the official letter(s) for an existing HPMS user **must** include the user ID and state that this user already has HPMS access.

Important Reminders when completing the *Application for Access to CMS Computer Systems Form*

Please ensure you and your subcontractor follow the important instructions noted below when preparing a request for HPMS access:

- Include the contract number(s) in Section 3 for the formulary you will be submitting.
- Always provide a Social Security Number. CMS will **not** process a request without this piece of information.
- The form must be completed in ink, not pencil.
- Submit the original hardcopy form with an original signature and date. **Photocopies and faxes are unacceptable.**

Managing Formulary Consultant Access

Ultimately, it is the responsibility of the contracting organization to manage and maintain the set of users for whom you have requested HPMS access. This general principle applies to both plan staff and any consultants serving as agents of the contracting organization.

CMS will be providing organizations with reports in HPMS which can be used to manage user access to your contract number(s) by both organization staff and consultants. Instructions will be provided under separate cover.

Contracting organizations may request the deletion of any user from accessing their data in HPMS at any time. These requests should be sent to hpms_access@cms.hhs.gov. Requests must contain the user ID and name of the individual to be removed from HPMS.

Organization Responsibility for Compliance with Part D Requirements

CMS will consider a Formulary Consultant to be a subcontractor acting on behalf of each organization that has completed the HPMS user access process on the Consultant's behalf. CMS reminds organizations that, pursuant to 42 C.F.R. §423.505(i)(1), they remain ultimately responsible for meeting the requirements of the Part D program. Therefore, to the extent that a Formulary Consultant's performance of a formulary-related task is not compliant with Part D program requirements, CMS will attribute that non-

compliance to the organization that contracted with the Formulary Consultant to complete the task.

Directions for Submission of Subcontractor's Access Request

Submit the original (not a copy) Formulary Consultant user access form and the letter from your organization via traceable carrier to:

Ms. Julia Heeter
Re: Formulary Consultant Access
7500 Security Blvd.
Location: C4-15-06 / Mailstop: C4-14-21
Baltimore, MD 21244

To ensure sufficient time to process your request, we strongly recommend that you submit your requests no later than **December 11, 2007** as the Formulary Negative Change Request module becomes available to plans in January, 2008.

For questions regarding these instructions as they pertain to HPMS access, please contact Julia Heeter at either 410-786-6198 or Julia.Heeter@cms.hhs.gov.

For questions related to formulary submissions or data, please contact Brian Martin at 410-786-1070 or Brian.Martin@cms.hhs.gov.

Thank you for your cooperation in this matter.