



MEDICARE DRUG & HEALTH PLAN CONTRACT ADMINISTRATION GROUP

DATE: March 30, 2011

TO: Medicare Advantage Organizations
Prescription Drug Plans Sponsors
1876 Cost Based Contractors

FROM: Danielle R. Moon, J.D., M.P.A.
Director

SUBJECT: Proposed Change to the Notification Requirement for Scheduled Marketing Events—Medicare Marketing Guidelines Section 70.8

The Centers for Medicare & Medicaid Services (CMS) is issuing this memorandum in order to solicit comments from Medicare Advantage organizations (MAOs), Prescription Drug Plan (PDP) sponsors and Section 1876 cost-based contractors concerning a proposed change to the notification requirements of scheduled marketing events at Section 70.8 of the draft Medicare Marketing Guidelines (MMG) that we released for comment on January 6, 2011.

Currently the MMG states, “Plan sponsors must upload all marketing/sales events prior to advertising the event (or prior to the event’s scheduled date if there is no advertisement) but no later than the last day of the month prior to the event and can complete the upload requirement via HPMS.” CMS is proposing to change the requirement to read as follows: “Plan sponsors must upload all new formal and informal marketing/sales events via HPMS prior to advertising the event or seven (7) calendar days prior to the event’s scheduled date, whichever is earlier.” We believe this change will provide plan sponsors with the flexibility to schedule events closer to the actual event date, rather than requiring plan sponsors to schedule events up to one month in advance.

We are soliciting comments solely on this proposed revision and will include any revision to this requirement in the final MMG, which we expect to release in May. All comments must be received by CMS no later than 5 PM (EDT), April 13, 2011. Comments received after this date may not be considered for this update. Please submit all comments or questions via e-mail to Marketingpolicy@cms.hhs.gov with “Comments on Marketing Event Uploads” in the subject line of the email. We thank you in advance for your careful review and comment on this proposed revision to the Medicare Marketing Guidelines.