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**DATE:** June 15, 2011

**TO:** Affected Part D Plan Sponsors

**FROM:** Anthony Culotta, Director  
Medicare Enrollment & Appeals Group

**RE:** Part D Special Election Period for Environmental Health Hazards Medicare Pilot Program

**BACKGROUND**

Section 10323 of the Affordable Care Act established Medicare entitlement for individuals who are diagnosed with an asbestos-related disease caused by exposure to an environmental health hazard (EHH) to which an emergency declaration applies. Libby, Montana, is an emergency declaration area due to airborne pollutants from a vermiculite mine. To assist these individuals with their specific health needs, the Centers for Medicare & Medicaid Services developed a new pilot program - the Medicare Pilot Program for Asbestos Related Disease. The pilot program covers items and services that Medicare usually does not cover, such as special home care services and medical equipment, nutritional supplements, and prescription drugs not covered by Medicare (if the individual has Medicare or other creditable prescription drug coverage). The pilot program is for individuals who are eligible for Medicare based on an EHH and reside in Lincoln or Flathead counties in Montana. Enrollment in a Medicare Part D plan is not required to participate in the pilot; however, pilot participants will receive additional services through the pilot if they have Medicare prescription drug coverage. The pilot program will begin in July 2011.

**Part D Special Election Period**

The purpose of this memorandum is to establish a special enrollment period (SEP) to permit enrollment into Part D for purposes of participation in the pilot program.

This one-time SEP is limited in scope as follows:

- The individual must have Medicare Part A under EHH even if the individual is otherwise Medicare eligible;
- The individual must not currently have Part D coverage;
- The individual must reside in either Lincoln County or Flathead County, Montana;
- The individual must express the intent to participate in the pilot program; and
- The SEP will begin on June 1, 2011 and end on June 30, 2012.

The SEP allows an individual to prospectively enroll in a plan with Part D coverage. Enrollments are effective the first day of the month following receipt of the enrollment request by the plan. Individuals may enroll in either a stand-alone Prescription Drug Plan or Medicare Advantage Prescription Drug plan. They may not switch prescription drug plans or Medicare Advantage (MA) plans under this SEP, unless their current MA plan did not include prescription drug coverage.

Beneficiaries using this SEP to enroll are not subject to an LEP for any gap in coverage prior to enrolling via this SEP opportunity. Plans must ensure that no uncovered months are added to the beneficiary's record for the period prior to enrolling via this SEP. To do this, plans must include the values of "Y" and "0" (zero) in the appropriate fields on the enrollment transaction. Plans do not need to conduct the usual activities to determine any uncovered months for such individuals. Existing number of uncovered months and LEP assessments still apply and should remain unchanged in the MARx system. As always, individuals may enroll in Part D plans through 1-800-MEDICARE, [www.medicare.gov](http://www.medicare.gov), or directly through the Part D plan.

**For Assistance**

For more information about the pilot program, visit [www.noridianmedicare.com/ard](http://www.noridianmedicare.com/ard) or call Noridian Administrative Services, the contractor that is running the pilot for CMS, at 1-888-469-9464.

If you have any questions about the limited SEP, please contact Patty Helphenstine at 410-786-0622 or [Patricia.helphenstine2@cms.hhs.gov](mailto:Patricia.helphenstine2@cms.hhs.gov) or Roslyn Thomas at 410-786-9621 or [Roslyn.thomas@cms.hhs.gov](mailto:Roslyn.thomas@cms.hhs.gov).