

**MEDICARE DRUG & HEALTH PLAN CONTRACT ADMINISTRATION GROUP**

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Date: November 4, 2011

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

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

SUBJECT: Correction of Timeframe for Cancellation of Enrollment Request Contained in  
Outbound Enrollment and Verification Communications

CMS has identified an error in the Medicare Marketing Guidelines and the outbound enrollment and verification (OEV) materials regarding the timeframe within which beneficiaries must notify the plan sponsor of their intent to cancel an enrollment made during the annual enrollment period (AEP). In accordance with section 70.6 of the Medicare Marketing Guidelines (MMG), plan sponsors are required to make OEV calls to enrollees whose enrollments were effectuated by agents and brokers. CMS requires plan sponsors to make a minimum of three documented attempts to contact the applicant by telephone and to send the applicant an enrollment verification letter if they are unable to successfully complete the outbound verification call on the first attempt.

Currently, section 70.6 of the MMG incorrectly instructs plans that, for AEP enrollment requests, the script and the enrollment verification letter must inform applicants that the deadline to cancel the processing of their enrollment is seven (7) calendar days from the date of the letter (or call) or by December 7<sup>th</sup>, whichever is later. Through this memorandum, we are revising this guidance to reflect that the correct date by which all AEP applicants must inform the plan of their intent to cancel their enrollment request is December 31<sup>st</sup>.

CMS has updated the model OEV script and letter to reflect this correction and attached these hereto as attachments A and B, respectively. Plan sponsors must immediately revise their OEV scripts and letters to reflect the December 31<sup>st</sup> AEP enrollment cancellation deadline. Revising OEV materials and training appropriate staff as to the December 31<sup>st</sup> cancellation timeframe must be a plan sponsor priority. Updated plan materials should be submitted File & Use in HPMS under the material code 2064. To ensure beneficiaries receive this updated message timely, CMS is waiving the 5-day hold requirement for File & Use materials; thus, plan sponsors should begin communicating this updated timeframe immediately following submission in HPMS.

CMS recognizes that plan sponsors may have already conducted OEV calls and sent OEV letters for 2012 AEP enrollments. Plan sponsors will not be required to contact beneficiaries who were previously informed of the December 7<sup>th</sup> date to advise them that the correct deadline is December 31<sup>st</sup>. However, all AEP enrollment cancellation requests received by December 31<sup>st</sup> must be honored and processed in accordance with CMS enrollment policy.

Questions about these requirements or materials that have already been submitted through HPMS should be directed to your CMS Regional Office Account Manager or Marketing Reviewer.