

HPMS E-Mail

Date: November 29, 2012

Subject: Surveillance, Compliance, and Marketing November 2012 Update

1. Messaging related to enrollment opportunities for those impacted by Hurricane Sandy

On November 7, 2012, CMS issued an HPMS memorandum entitled, "Enrollment Opportunities for Individuals Affected by Hurricane Sandy Following the Annual Enrollment Period." The purpose of this memorandum was to advise MAOs and PDP sponsors that beneficiaries affected by Hurricane Sandy who are unable to make a plan election by the close of the Annual Enrollment Period (AEP) on December 7 can contact 1-800-MEDICARE to request consideration for an exception under CMS' existing processes that would allow them to enroll in a health or prescription drug plan for 2013. CMS has been alerted that some MAOs and PDP sponsors (or their representatives) are advising beneficiaries that CMS has extended an opportunity to enroll beyond December 7 to all Medicare beneficiaries. Such information and activities are potentially misleading and confusing, in violation of CMS regulations at 42 CFR 422.2268(e) and 423.2268(e) and must cease immediately. CMS reminds MAOs and PDP sponsors that our marketing surveillance efforts continue through the end of the AEP and beyond, and they should ensure that their agents, brokers, and other plan representatives adhere to CMS regulations and the Medicare Marketing Guidelines

2. Requirement to upload actual mail date in HPMS

MAOs and PDP sponsors are reminded that they must upload the actual mail date of their Annual Notice of Change/Evidence of Coverage (ANOC/EOC) documents in HPMS. Per section 60.7 of the Medicare Marketing Guidelines, MAOs and PDP sponsors must indicate the actual mail date in HPMS within three (3) days of mailing. MAOs and PDP sponsors that mail the ANOC/EOC in waves should enter the actual date for each wave. For instructions on meeting this requirement, refer to the Update Material Link/Function section of the Marketing Module User's Guide.

3. Categorizing uploaded marketing events

CMS has identified a number of instances where an informal marketing event, (e.g., a kiosk at a local fair) is listed in HPMS as a formal event. Per the Medicare Marketing Guidelines, informal marketing/sales events are those conducted with a less structured presentation or in a less formal environment. MAOs and PDP sponsors must upload all formal and informal marketing/sales events via HPMS and should appropriately categorize each event as Informal, Formal, or Educational. In the Event Name field, plan sponsors should begin each Event Name field entry with the appropriate categorization followed by the actual event name, (e.g., Informal: kiosk at ABC fair). Please ensure all uploaded marketing events are properly categorized as Informal, Formal, or Educational. Refer to sections 70.10 and 70.10.1 of the Medicare Marketing Guidelines for additional information.

4. Notifying CMS of event cancellations

Changes to marketing/sales events should be updated in HPMS at least forty-eight (48) hours prior to the scheduled event. If an event is cancelled less than forty-eight (48) hours before its originally scheduled date and time, the MAO or PDP sponsor must cancel the event in HPMS and have a representative at the site location for a minimum of 15 minutes after the scheduled event time. CMS has become aware that a number of marketing/sales events in HPMS are not being cancelled appropriately. MAOs and PDP sponsors must ensure that a representative is available on site of the event if it was cancelled less than forty-eight hours in advance. This requirement is applicable even if the event was cancelled due to a lack of anticipated attendance. A representative is not required if the event was cancelled due to inclement weather. Refer to section 70.10.1 of the Medicare Marketing Guidelines for additional information.