



DATE: May 18, 2021

TO: Current Medicare Advantage Organizations with a Contract Year 2021 Dual Eligible Special Needs Plan (D-SNP) “Look-Alike” Plan

FROM: Kathryn Coleman, Director
Medicare Drug & Health Plan Contract Administration Group
Center for Medicare

Sharon Donovan, Director
Program Alignment Group
Medicare-Medicaid Coordination Office

SUBJECT: Dual Eligible Special Needs Plan “Look-Alike” Transitions for Contract Year 2022

This memorandum¹ provides information and procedural directions to current Medicare Advantage (MA) organizations with a contract year (CY) 2021 D-SNP “look-alike” plan regarding the opportunity to transition enrollees in dual eligible special needs plan (D-SNP) “look-alikes” for CY 2022.

In the CY 2021 MA and Part D Final Rule ([CMS-4190-F1](#)), CMS finalized new contracting limitations for D-SNP look-alikes at 42 CFR § 422.514(d) and (e). CMS has identified that your MA organization has at least one D-SNP look-alike plan based on January 2021 Monthly Membership Report data.

CY 2021 D-SNP Look-Alike Plans

Your MA organization has the opportunity to transition D-SNP look-alike plan membership effective January 1, 2022.

¹The contents of this document do not have the force and effect of law and are not meant to bind the public in any way, unless specifically incorporated into a contract. This document is intended only to provide clarity to the public regarding existing requirements under the law.

There are two approaches for transitioning D-SNP look-alike membership:

1. Use the D-SNP look-alike transition process under the authority outlined in 42 CFR 422.514(e) (see summary below). This process involves submitting one or more Plan Submitted Rollover (POVER) special batch files in October per the process outlined in the forthcoming End-of-Year 2021 Enrollment and Payment Systems Processing Information Memo. If the MA organization will transition less than the full membership, transition membership to a SNP, or transition membership to more than one MA-PD plan, this approach is the only approved mechanism for the transition.
2. Use the CMS crosswalk process, if transitioning the full D-SNP look-alike membership to one non-SNP PBP of the same type offered by the same MA organization under the same contract and the requirements for a crosswalk are met. The requirements for crosswalks are codified at 42 CFR 422.530 in the CY 2022 MA and Part D Final Rule ([CMS-4190-F2](#)). An MA organization moving the entire membership of the look-alike plan to another PBP of the same type under the same contract may structure that as a consolidation of PBPs and use the crosswalk for consolidated renewal at 42 CFR 422.530(b)(1)(ii). The MA organization may use either the crosswalk process or the transition mechanism under 42 CFR 422.514(e) if transitioning the full membership to one non-SNP PBP offered by the same MA organization under the conditions specified in 42 CFR 422.530(b)(1)(ii).

Under 42 CFR 422.514, an MA organization may transition its CY 2021 D-SNP look-alike membership into another CY 2022 MA plan or plans (including into a D-SNP for enrollees who are eligible for such a plan) offered by the same MA organization, or another MA organization that shares the same parent organization as the MA organization, for which the individual is eligible if:

- As of January 2021, the **current MA plan**:
 - Is not a SNP; and
 - Had membership in which at least 80 percent of enrollees were in Medicaid in January 2021, has been active for more than 1 year and has enrollment of more than 200 enrollees; and
- The **MA plan or plans receiving the enrollment**:
 - Is an MA-PD plan;
 - With the addition of the D-SNP look-alike enrollees identified for transition to the receiving plan's actual April 2021 enrollment, has total projected enrollment of less than 80 percent dually eligible individuals (unless the receiving plan is a D-SNP);
 - Has a combined Part C and D premium of \$0.00 for individuals eligible for the premium subsidy for full subsidy eligible individuals described in 42 CFR 423.780(a);
 - Is of the same product type (for example, HMO or PPO) as the D-SNP look-alike; and

- Describes changes to MA-PD benefits from the D-SNP look-alike plan in the Annual Notice of Change, consistent with 42 CFR § 422.111.

If your MA organization plans to use the authority in 42 CFR 422.514(e) to transition the membership in a D-SNP look-alike plan into another MA-PD plan or plans, please send an email indicating this request to the CMS Medicare-Medicaid Coordination Office (MMCO) at MMCO_DSNPOperations@cms.hhs.gov by **11:59 PM Pacific Time on June 7, 2021**. Please note that this email is for planning purposes and does not bind the MA organization to the transition process for CY 2022.

Please include the following information in the email:

- CY 2021 contract and plan benefit package (PBP) number(s) of the D-SNP look-alike(s) and related geographic service area (i.e., counties);
- Expected CY 2022 contract and PBP number(s) into which the MA organization plans to transition its D-SNP look-alike members and related geographic service area (i.e., counties);
- Approximate volume of enrollees to be transitioned by D-SNP look-alike PBP; and
- If the MA organization anticipates transitioning its membership into more than one MA plan, a general description of which D-SNP look-alike members will be transitioned into which contract and PBP number (e.g., full-benefit dually eligible individuals transitioning into H1000-001 and partial benefit dually eligible individuals transitioning into H2000-001).

Please include your CMS Account Manager on these emails.

In addition to sending an email to CMS MMCO at MMCO_DSNPOperations@cms.hhs.gov by **11:59 PM Pacific Time on June 7, 2021**, CMS requests plans to take action in the Health Plan Management System (HPMS).

CMS does not have a process in place in HPMS for the CY 2022 transitions under 42 CFR 422.514(e). While this transition is not an exception request, CMS requests MA organizations to follow the instructions that will be released separately regarding an organization's intent to transition via a crosswalk exception request. On the Complete Plan Crosswalk screen, check the check box in the first column by **11:59 PM Pacific Time on June 7, 2021**. Note: Checking this check box will not require that the plan submit a Crosswalk Exception or transition request later and leaving the check box unchecked will not prevent a plan from submitting a request later. It is for informational purposes only. Also, MA organizations should follow forthcoming instructions for crosswalk exception steps in HPMS by **Tuesday, June 8 to Wednesday, June 9, 5:00 PM Eastern Time**. On the Complete Exceptions Plan Crosswalk screen, in the Comments text field, please add the following language to signal to CMS that your MA organization plans to use the 42 CFR 422.514(e) transition authority: "CY 2022 transition per 42 CFR 422.514(e) D-SNP look-alike transition".

Next Steps

CMS will review each email received, determine whether the requested transition plan meets the requirements outlined in 42 CFR 422.514(e), and respond with a determination.

Please email MMCO at MMCO_DSNPOperations@cms.hhs.gov and your CMS Account Manager with any questions.