



MEDICARE ENROLLMENT & APPEALS GROUP

DATE: June 28, 2023

TO: All Medicare Advantage Organizations, Prescription Drug Plans, Cost Plans, Medicare-Medicaid Plans (MMPs), and PACE Organizations

FROM: Jerry Mulcahy
Director, Medicare Enrollment and Appeals Group
Center for Medicare

SUBJECT: Request for Review – Draft Parts C & D Enrollment and Eligibility Guidance

This memo announces updates to Chapter 2 of the Medicare Managed Care Manual, Chapter 17D of the Medicare Managed Care Manual, and Chapter 3 of the Medicare Prescription Drug Benefit Manual. The purpose of these updates is to bring our guidance up to date with current regulatory requirements as well as requirements effective January 1, 2024 from recent rulemaking in CMS-4201-F1.

The guidance is attached with substantive updates in red, italicized font.

We are seeking industry comment on the revised guidance, including feedback on the revisions of the guidance, its clarity, and any areas where we could make improvements. We will review all comments received and make final revisions accordingly. We intend that the final version of this guidance will apply to all enrollments with an effective date on or after January 1, 2024.

Please note: This guidance is not final; internal policies and procedures should remain the same until the final version is released.

Some general changes include:

- Race/Ethnicity enrollment questions added to model forms and in form fields guidance.
- Pronouns related to “the individual/enrollee/beneficiary” made gender neutral.
- URL updates: SSA and CMS web links have been updated to working links.
- SEP for Individuals who Gain, Lose, or Have a Change in their Dual or LIS-Eligible Status was revised for clarity and to match the regulation at 42 CFR 423.38(c)(9).
- Model Notice for CMS Rejection of Enrollment (Chapter 2, Exhibit 8) was revised for typo errors.
- 4201-F1 updates:
 - LI NET language updated/deleted to reflect it as a permanent program.

- Language updated for Partial/Full benefit subsidy eligible individuals to reflect changes in income levels for full LIS in 2024.
- Added SEP for Individuals Who Enroll in Medicare Premium-Part A or Part B using an Exceptional Condition SEP, as described in 42 CFR Parts 406.27 and 407.23.
- Clarification of SEP for Other Exceptional Circumstances review process and possible effective dates.

Please input your comments on the comment sheet attached. Please send the completed comment sheet to <https://enrollment.lmi.org/> with “Part C and Part D Enrollment Guidance” in the subject line. Submit any comments intended for consideration by close of business Wednesday, July 12th. Comments received after this date will be reviewed for future revisions of the guidance.