

**Summary of HPMS Releases**  
For the week ending August 8, 2008

**Title: RESEND - Medicare Prescription Drug Benefit Manual – Draft Chapter 13**

**Date: 8/4/08**

**Summary:** Today, we are releasing for comment the draft of Chapter 13 of the Medicare Prescription Drug Benefit Manual. The draft of Chapter 13 consolidates previous guidance, questions and answers, and HPMS memoranda regarding the eligibility for, and administration of the Federal low-income subsidy program. Comments on the draft of Chapter 13 must be received by CMS no later than 5:00pm EST, Monday, August 11, 2008.

**Title: DMEPOS Competitive Bidding Program – Impact on Medicare Advantage Plans – (Rescission of June 19, 2008, HPMS Memorandum)**

**Date: 8/5/08**

**Summary:** Attached is a memo regarding rescinding the June 19 HPMS notice on the DMEPOS Competitive Bidding program delaying implementation of round one of the DMEPOS competitive bidding until 2009.

**Title: Medicare Advantage Prescription Drug System (MARx) August 2008 Payment - INFORMATION**

**Date: 8/5/08**

**Summary:** This letter provides information related to the August 2008 payment scheduled for August 1, 2008.

**Title: RESEND – Best Available Evidence Policy - UPDATE**

**Date: 8/5/08**

**Summary:** The purpose of this memorandum is to clarify and remind sponsors of the requirements associated with CMS' "best available evidence" (BAE) policy and inform sponsors of a new process for assisting individuals who do not have one of the required pieces of evidence but who claim to be eligible for the low-income subsidy (LIS). Where there is a conflict between this memorandum and earlier BAE guidance, this memorandum supersedes earlier guidance, and is effective immediately.

**Title: Changes to Part D Sponsors' Medication Therapy Management Program (MTMP) - REVISED**

**Date: 8/5/08**

**Summary:** Annually each spring, CMS evaluates and approves Part D Sponsor's MTMP for compliance with the current minimum requirements for the upcoming program year. The following instructions replace the previous instructions provided on August 29, 2006 to all Part D Sponsors.

**Title: August Limited Updated Window for CY 2009 Formulary Submissions**

**Date: 8/5/08**

**Summary:** CMS is currently in the process of granting conditional approvals for CY2009 formularies. Those formularies that still have outstanding issues will be contacted by CMS to schedule a negotiation call. CMS will make every effort to accommodate all negotiation requests within the existing time and resource constraints at this stage of the 2009 formulary review process. Given those constraints, organizations must understand that those formularies with limited issues that can be addressed during a brief discussion with CMS are more likely to receive full CMS consideration than those formularies with complex issues requiring extensive discussions.

**Title: Re-Determination of Low-Income Subsidy Eligibility for 2009**

**Date: 8/5/08**

**Summary:** The purpose of this memo is to provide Part D plan sponsors with information and guidance about the process used by CMS and SSA to re-determine Medicare beneficiaries' low-income subsidy (LIS) eligibility; n Optional Grace Period for individuals who no longer automatically qualify for the Part D Low Income Subsidy in 2009; a Special Enrollment Period for individuals who lose their low-income subsidy eligibility; and CMS' expectations of Part D plan sponsors for conducting outreach to members who no longer automatically qualify for LIS and steps sponsors may take to ease their members' transition.

**Title: Business Associate Agreement with the TrOOP Facilitation Contractor**

**Date: 8/6/08**

**Summary:** The purpose of this memorandum is to remind Part D sponsors of the requirement to execute a business associate agreement (BAA) with the TrOOP Facilitation Contractor covering TrOOP and coordination of benefit (COB) functions.

**Title: Automated TrOOP Balance Transfer Certification Testing Process**

**Date: 8/6/08**

**Summary:** As indicated in the automated TrOOP balance transfer (TBT) guidance issued March 18, 2008, the automated process will be implemented January 1, 2009. With the exception of the Programs of All-Inclusive Care for the Elderly (PACE) that are exempt from the automated TBT process, Part D sponsors must be prepared to initiate certification testing with the CMS TrOOP Facilitator by September 1<sup>st</sup> and must be certified by the implementation date. The final protocols for the certification testing will be available by mid-August. Sponsors that do not meet the certification requirements will be subject to compliance action by CMS.

**Title: RESEND – Re-Determination of Low-Income Subsidy Eligibility for 2009**

**Date: 8/7/08**

**Summary:** The purpose of this memo is to provide Part D plan sponsors with information and guidance about the process used by CMS and SSA to re-determine Medicare beneficiaries' low-income subsidy (LIS) eligibility; n Optional Grace Period for individuals who no longer automatically qualify for the Part D Low Income Subsidy in 2009; a Special Enrollment Period for individuals who lose their low-income subsidy eligibility; and CMS' expectations of Part D plan sponsors for conducting outreach to members who no longer automatically qualify for LIS and steps sponsors may take to ease their members' transition.