



MEDICARE DRUG AND HEALTH PLAN CONTRACT ADMINISTRATION GROUP (MCAG)

MEMORANDUM

DATE: September 18, 2008

TO: All Medicare Advantage Prescription Drug Plan Sponsors

FROM: Teresa DeCaro, RN, M.S. /s/
Acting Director
Medicare Drug and Health Plan Contract Administration Group

SUBJECT: Medicare Prescription Drug Benefit Program Mark

In accordance with the Medicare Marketing Guidelines, Centers for Medicare & Medicaid Services (CMS) will issue the official Medicare Prescription Drug Benefit Mark to Medicare health plans offering the Part D Prescription Drug Benefit. Part D Sponsors may use the Medicare Mark's image on marketing materials as defined in Chapter 12 of the Medicare Marketing Guidelines.

However, prior to the distribution, Part D Sponsors must sign and return the attached license agreement between CMS and the Medicare Part D Sponsor for the use of the Medicare Mark. By signing the license agreement, Part D Sponsors are attesting to the appropriate use of the Medicare Mark as defined in the Medicare Marketing Guidelines. The agreement has been signed on behalf of CMS and requires the signature of an officer or a designee able to legally bind the organization. The license agreement is effective for a single contracting year. Please note that all renewing Part D Sponsors also must submit a signed license agreement in order to continue use of the Medicare Mark during contracting year 2009.

Although CMS is releasing the Medicare Mark at this time to allow Part D Sponsors to develop marketing materials, it is important to emphasize that the distribution of the Medicare Mark is not an indication that your contract has been approved as a Part D Sponsor. If the plan contract is not approved, sponsors must cease using the Medicare Mark. Failure to do so may result in fines and penalties.

Marketing materials, as defined by the Medicare Marketing Guidelines, that contain the Medicare Mark should be submitted as instructed for review. Marketing of 2009 Part D plans is not to begin until October 1, 2008, and **all** marketing prior to this date is prohibited.

Retain a copy of the signed license agreement for your file and return the original to:

Jermaine Staggers
Mail Stop C4-23-06
Attn: Part D Medicare Prescription Drug Benefit Program Mark
7500 Security Boulevard
Baltimore, Maryland 21244-1850
Jermaine.Staggers@cms.hhs.gov

Upon receipt of the signed license agreement, a URL link to the Medicare Mark will be emailed to the plan. If you have questions related to the Medicare Mark, please contact Jermaine Staggers at 410-786-1958 or by email at Jermaine.Staggers@cms.hhs.gov.

Thank you for all your help in ensuring the success of the Part C and D programs.