Chapter 10: Ending your participation in our FIDA Plan

**Introduction**

This chapter tells you when and how you can end your participation in our plan and what your health coverage options are after you leave our plan. If you leave our plan, you will still be in the Medicare and Medicaid programs as long as you are eligible. Key terms and their definitions appear in alphabetical order in the last chapter of the *Participant Handbook*.

[Plans should refer Participants to other parts of the handbook using the appropriate chapter number, section, and/or page number. For example, "see Chapter 9, Section A, page 1." An instruction [plans may insert reference, as applicable] is listed next to each cross reference throughout the handbook.]

[*Plans must update the Table of Contents to this document to accurately reflect where the information is found on each page after plan adds plan-customized information to this template.*]

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A. When can you end your participation in our FIDA Plan

[*Plans in states that continue to implement a continuous Special Enrollment Period for dual eligible beneficiaries (duals SEP) insert:* You can end your participation in <plan name> at any time during the year by enrolling in another Medicare Advantage Plan, enrolling in another Medicare-Medicaid Plan, or moving to Original Medicare.]

[*Plans in states that implement the new duals SEP effective 2019, insert:* Most people with Medicare can end their participation during certain times of the year. Because you have Medicaid, you may be able to end your participation in our plan or switch to a different plan one time during each of the following **Special Enrollment Periods**:

* January to March
* April to June
* July to September

In addition to these three Special Enrollment periods, you may end your participation in our plan during the following periods:

* The **Annual Enrollment Period,** which lasts from October 15 to December 7. If you choose a new plan during this period, your participation in <plan name> will end on December 31 and your membership in the new plan will start on January 1.
* The **Medicare Advantage Open Enrollment Period**, which lasts from January 1 to March 31. If you choose a new plan during this period, your membership in the new plan will start the first day of the next month.

There may be other situations when you are eligible to make a change to your enrollment. For example, when:

* Medicare or <insert name of State> have enrolled you into a Medicare-Medicaid Plan,
* Your eligibility for Medicaid or Extra Help has changed,
* You are getting care in a nursing home or a long-term care hospital, or
* You have moved.]

Your participation will end on the last day of the month that we get your request to change your plan. For example, if we get your request on January 25, your coverage with our plan will end on January 31. Your new coverage will begin the first day of the next month (February 1, in this example). If you leave our plan, you can get information about your:

* Medicare options in the table on page <page number> [plans may insert reference, as applicable].
* Medicaid services on page <page number> [plans may insert reference, as applicable].

You can get more information about when you can end your participation by calling:

* The Enrollment Broker (New York Medicaid Choice) at 1-855-600-FIDA, Monday through Friday from 8:30 am to 8:00 pm and Saturday from 10:00 am to 6:00 pm. TTY users should call 1-888-329-1541.
* Health Insurance Information, Counseling and Assistance Program (HIICAP). The phone number for HIICAP is 1-800-701-0501. [*TTY/TDD phone number is optional.*]
* Medicare at 1-800-MEDICARE (1-800-633-4227), 24 hours a day, seven days a week. TTY users should call 1-877-486-2048.

**NOTE:** If you are in a drug management program, you may not be able to join a different plan. See Chapter 5 [plans may insert reference, as applicable] for information about drug management programs.

The Independent Consumer Advocacy Network (ICAN) can also give you free information and assistance with any issues you may have with your FIDA Plan. To contact ICAN, call 1-844-614-8800. (TTY users call 711, then follow the prompts to dial 844-614-8800.)

B. How to end your participation in our FIDA Plan

If you decide to end your participation in <plan name>, call the Enrollment Broker or Medicare and tell them you want to leave <plan name>:

* Call the Enrollment Broker (New York Medicaid Choice) at 1-855-600-FIDA, Monday through Friday from 8:30 am to 8:00 pm and Saturday from 10:00 am to 6:00 pm. TTY users should call 1-888-329-1541; OR
* Call Medicare at 1-800-MEDICARE (1-800-633-4227), 24 hours a day, seven days a week. TTY users should call 1-877-486-2048. When you call 1-800-MEDICARE, you can also enroll in another Medicare health or drug plan. More information on getting your Medicare services when you leave <plan name> is in the chart on page <page number>

# C. How to join a different FIDA Plan

If you want to keep getting your Medicare and Medicaid benefits together from a single plan, you can join a different FIDA Plan. [*Plans in states that implement the new duals SEP effective 2019, insert:* You may end your participation in our plan during certain times of the year, known as Special Enrollment Periods. In certain situations, you may also be eligible to leave the plan at other times of the year. See Section A for more information about **when you can join** **a new plan**.]

To enroll in a different FIDA Plan:

* + Call the Enrollment Broker (New York Medicaid Choice) at 1-855-600-FIDA, Monday through Friday from 8:30 am to 8:00 pm and Saturday from 10:00 am to 6:00 pm. TTY users should call 1-888-329-1541. Tell the Enrollment Broker you want to leave <plan name> and join a different FIDA Plan. If you are not sure which plan you want to join, the Enrollment Broker can tell you about other plans in your area; OR
  + If you know the name of the FIDA Plan you want to join, send the Enrollment Broker an Enrollment Change Form. You can get the form at <http://www.nymedicaidchoice.com> or by calling the Enrollment Broker at 1-855-600-FIDA if you need them to mail you one. TTY users should call 1-888-329-1541.

[*Plans in states that continue to implement a continuous duals SEP insert:* Your coverage with <plan name> will end on the last day of the month that we get your request.] Your coverage with the new FIDA Plan you selected will begin on the first day of the next month.

[*Plans in states that implement the new duals SEP effective 2019, insert:* If you are eligible for a Special Enrollment Period, your coverage with <plan name> will end on the last day of the month that we get your request.See Section A for more information about **when you can join** **a new plan**.]

D. How to get Medicare and Medicaid services from a single plan

If you leave <plan name> and want to keep getting your Medicare and Medicaid services together from a single plan, you may be able to enroll in the Program of All-Inclusive Care for the Elderly (PACE) or the Medicaid Advantage Plus (MAP) Program.

To enroll in PACE or MAP:

* + Call the Enrollment Broker (New York Medicaid Choice) at 1-855-600-FIDA, Monday through Friday from 8:30 am to 8:00 pm and Saturday from 10:00 am to 6:00 pm. TTY users should call 1-888-329-1541. Tell the Enrollment Broker you want to leave <plan name> and enroll in PACE or MAP. If you are not sure which PACE or MAP Plan you want to join, the Enrollment Broker can tell you about other plans in your area.

# E. How to get your Medicare and Medicaid services separately if you leave our FIDA Plan and you do not want a different FIDA, PACE, or MAP Plan

If you do not want to enroll in a different FIDA, PACE, or MAP Plan after you leave <plan name>, you will go back to getting your Medicare and Medicaid services separately as described below.

## E1. Ways to get Medicare services

You will have a choice about how you get your Medicare benefits.

You have three options for getting your Medicare services. By enrolling in one of these options, you will automatically end your participation in <plan name>.

|  |  |
| --- | --- |
| **1. You can change to:**  **A Medicare health plan, such as a Medicare Advantage plan or a Program of All-inclusive Care for the Elderly (PACE)** | **Here is what to do:**  Call Medicare at 1-800-MEDICARE (1-800-633-4227), 24 hours a day, seven days a week. TTY users should call 1-877-486-2048 to enroll in the new Medicare-only health plan.  If you need help or more information:   * Call the Health Insurance Information, Counseling and Assistance Program (HIICAP) at 1-800-701-0501. [*TTY/TDD phone number is optional.*]   You will automatically be disenrolled from <plan name> when your new plan’s coverage begins. |
| **2. You can change to:**  **Original Medicare with a separate Medicare prescription drug plan** | **Here is what to do:**  Call Medicare at 1-800-MEDICARE (1-800-633-4227), 24 hours a day, seven days a week. TTY users should call 1-877-486-2048.  If you need help or more information:   * Call the Health Insurance Information, Counseling and Assistance Program (HIICAP) at 1-800-701-0501. [*TTY/TDD phone number is optional.*]   You will automatically be disenrolled from <plan name> when your Original Medicare coverage begins. |
| **3. You can change to:**  **Original Medicare without a separate Medicare prescription drug plan**  **NOTE:** If you switch to Original Medicare and do not enroll in a separate Medicare prescription drug plan, Medicare may enroll you in a drug plan, unless you tell Medicare you don’t want to join.  You should only drop prescription drug coverage if you get drug coverage from an employer, union or other source. If you have questions about whether you need drug coverage, call the Health Insurance Information, Counseling and Assistance Program (HIICAP) at 1-800-701-0501. | **Here is what to do:**  Call Medicare at 1-800-MEDICARE (1-800-633-4227), 24 hours a day, seven days a week. TTY users should call 1-877-486-2048.  If you need help or more information:   * Call the Health Insurance Information, Counseling and Assistance Program (HIICAP) at 1-800-701-0501. [*TTY/TDD phone number is optional.*]   You will automatically be disenrolled from <plan name> when your Original Medicare coverage begins. |

## E2. How to get your Medicaid services

If you leave the FIDA Plan, you will still be able to get your Medicaid services.

You will have the opportunity to switch to a Medicaid Managed Long-Term Care plan for your long-term services and supports and to get your Medicaid physical and behavioral health services through Medicaid Fee-for-Service. You can choose to completely stop getting long-term services and supports. However, it may take extra time to complete a safe discharge process.

* + If you choose to completely stop getting long-term services and supports, we must ensure that you will be safe without the receipt of these services.
  + To do this, we will complete a safe discharge process. This might take a few weeks from the date you tell us you want to leave long-term services and supports.
  + During this time, you will be enrolled into the Medicaid Managed Long-Term Care plan operated by the same company as <plan name>.
  + Your change request on your Medicare coverage will not be delayed and will take effect on the first day of the month after you ask for the change.

If you were getting services through the Nursing Home Transition & Diversion 1915(c) waiver prior to enrolling in a FIDA Plan, you will have the opportunity to re-apply for the Nursing Home Transition & Diversion 1915(c) waiver. You will continue to get any existing Nursing Home Transition & Diversion services from <plan name> or enroll in a Medicaid Managed Long-Term Care plan to get your Medicaid services until your application for the Nursing Home Transition & Diversion 1915(c) waiver is approved. The Enrollment Broker (New York Medicaid Choice) can help you with your application.

You will get a new Medicaid Participant ID Card, a new Participant Handbook, and a new Provider and Pharmacy Directory.

F. Keep getting your medical services and drugs through our FIDA Plan until your participation ends

If you leave <plan name>, it may take time before your participation ends and your new Medicare and Medicaid coverage begins. See page <page number> for more information. During this time, you will keep getting your services, items, and drugs through <plan name>.

* + **You should use our network pharmacies to get your prescriptions filled.** Usually, your prescription drugs are covered only if they are filled at a network pharmacy[insert if applicable:including through our mail-order pharmacy services].
  + **If you are hospitalized on the day that your participation ends, your hospital stay will usually be covered by our plan until you are discharged.** This will happen even if your new coverage begins before you are discharged.

G. Other situations when your participation ends

These are the cases when the FIDA Program rules require that your participation must end:

* If there is a break in your in Medicare Part A and Part B coverage.
* If you no longer qualify for Medicaid.
* If you permanently move out of our service area.
* If you are away from our service area for more than six consecutive months. [Plans with visitor/traveler benefits should revise this bullet to indicate when Participants must be disenrolled from the plan.]
* If you move or take a long trip, you need to call Participant Services to find out if the place you are moving or traveling to is in <plan name>’s service area.
* [Plans with visitor/traveler benefits, insert: See Chapter 4 [plans may insert reference, as applicable] for information on getting care when you are away from the service area through our plan’s visitor/traveler benefits.]
* If you go to jail, prison, or a correctional facility for a criminal offense.
* If you lie about or withhold information about other insurance you have for health care or prescription drugs.
* If you are not a United States citizen or are not lawfully present in the United States.

You must be a United States citizen or lawfully present in the United States to be a Participant in our plan. The Centers for Medicare & Medicaid Services will notify us if you aren’t eligible to remain a Participant on this basis. We must disenroll you if you don’t meet this requirement.

In any of the above situations, the Enrollment Broker (New York Medicaid Choice) will send you a disenrollment notice and will be available to explain your other coverage options.

In addition, we can ask that the FIDA Program remove you from <plan name> for the following reasons:

* If you intentionally give us incorrect information when you are enrolling in <plan name> and that information affects your eligibility for our plan.
* If you continuously behave in a way that is disruptive and makes it difficult for us to provide medical care for you and other Participants of <plan name> even after we make and document our efforts to resolve any problems you may have.
* If you knowingly fail to complete and submit any necessary consent or release form allowing <plan name> and providers to access health care and service information that is necessary for us to deliver care to you.
* If you let someone else use your Participant ID Card to get medical care.
* If we end your participation because of this reason, Medicare may have your case investigated by the Inspector General.

In any of the above situations, we will notify you of our concern before we ask for FIDA Program approval to have you disenrolled from <plan name>. We will do this so that you have the opportunity to resolve the problems first. If the problems aren’t resolved, we will notify you again once we have submitted the request. If the FIDA Program approves our request, you will get a disenrollment notice. The Enrollment Broker will be available to explain your other coverage options.

H. Rules against asking you to disenroll from our FIDA Plan for any health-related reason

If you feel that we are asking that you be disenrolled from <plan name> for a health-related reason, you should call Medicareat 1‑800‑MEDICARE (1‑800‑633‑4227), 24 hours a day, seven days a week. TTY users should call 1-877-486-2048. You should also call Medicaid at 1-800-541-2831

I. Your right to ask for a fair hearing if the FIDA Program ends your participation in our FIDA Plan

If the FIDA Program ends your participation in <plan name>, the FIDA Program must tell you its reasons in writing. It must also explain how you can ask for a fair hearing about the decision to end your participation.

J. Your right to file a grievance with <plan name> if we ask the FIDA Program to end your participation in our FIDA Plan

If we ask the FIDA Program to end your participation in our plan, we must tell you our reasons in writing. We must also explain how you can file a grievance about our request to end your participation. You can see Chapter 9 [plans may insert reference, as applicable] for information about how to file a grievance.

* **Note:** You can use the grievance process to express your dissatisfaction with our request to end your participation. However, if you want to ask that the decision be changed, you must file a fair hearing as described in Section I just above.

# K. How to get more information about ending your participation in our FIDA Plan

If you have questions or would like more information on when we can end your participation, you can call Participant Services at <toll-free number>, <days and hours of operation>. TTY users call <TTY number>.

The Independent Consumer Advocacy Network (ICAN) can also give you free information and assistance with any issues you may have with your FIDA Plan. ICAN may be reached toll-free at 1-844-614-8800 or online at [icannys.org](http://www.icannys.org). (TTY users call 711, then follow the prompts to dial 844-614-8800.)