

COMPLIANCE ALERT

Deadline for Medicare Part D Notice of Creditable Coverage Nears

August 4, 2022

Action Required:

- **Plan sponsors must provide Notices of Creditable (or Non-Creditable) Coverage to Medicare-eligible employees and covered dependents prior to 10/15/2022.**

It's the time of year when the Medicare Part D Notice of Creditable Coverage must be provided to participants. October 15 is rapidly approaching and plan sponsors need to prepare.

Plan sponsors are required to provide Notice of Creditable (or Non-Creditable) Coverage to their employees and their employees' covered dependents who are Medicare-eligible prior to October 15 of each year. These individuals can enroll in Medicare when they first become eligible or each year during an open enrollment period that runs from October 15 through December 7.

What Does This Mean to You as an Employer?

Medicare Part D is a federal program that subsidizes the cost of prescription drugs for Medicare beneficiaries. Although more than 43 million Americans are eligible for Medicare Part D coverage, many continue prescription drug coverage through their current employer's group health plan. As a result, Medicare-eligible individuals must make a choice between the employer-sponsored plan and enrolling in Medicare Part D.

To aid in that choice, each year plan sponsors must determine whether the prescription drug coverage they offer is considered creditable or non-creditable, and then notify their participants of that coverage's creditability status. In addition, the plan sponsor must notify the Centers for Medicare and Medicaid Services (CMS) of this same status. Therefore, the plan sponsor must do the following:

1. A Notice of Creditable Coverage or a Notice of Non-Creditable Coverage, whichever is applicable, is required to be sent to every participant of your benefit plan prior to October 15 of each year.
2. CMS must be notified via an online questionnaire no later than 60 days after the start of your new plan year about your creditable/non-creditable coverage status.

What Should You Do Next?

If you are an employer offering a prescription drug benefit, make sure you have the updated notices for Medicare Part D and that you have met the two annual notice requirements listed above.

[CLICK HERE](#) for a copy of the CMS Creditable Coverage Notice Form to be used now for the 2023 plan year.

[CLICK HERE](#) for a copy of the CMS Non-Creditable Coverage Notice Form to be used now for the 2023 plan year.

[CLICK HERE](#) for more information on how to notify CMS of your Creditability status. ■