

**Change to Medicare Part D Creditable Coverage Notification Deadline  
Notice Now Due by October 15**

The Medicare Modernization Act (MMA) requires employers whose health care plans include prescription drug coverage to notify Medicare-eligible members whether their prescription drug coverage is creditable coverage; i.e., whether the coverage provided by the employer is expected to pay, on average, as much as the standard Medicare Part D prescription drug coverage. CMS (Centers for Medicare and Medicaid Services) requires that such notice be provided prior to the start of the annual Part D enrollment period. In the past, the enrollment period has been November 15th through December 31st of each year. The Patient Protection and Affordable Care Act (PPACA) has now moved the Medicare Part D annual enrollment period to October 15th through December 7th. This effectively changes the date that notices of creditable coverage are due to October 15th. Note that this change is effective for the 2012 Part D annual enrollment, which occurs in the fall of 2011.

If it is not practical for an employer to distribute the new notice by October 15th, CMS offers the option of a “within the past 12 months” standard. Basically, so long as an employer distributes the Creditable Coverage notice within 12 months of the new effective date, and on or about the same date each year thereafter, that employer will have satisfied the annual notice requirement.

CMS has released updated Creditable [Model Creditable Coverage Disclosure Notice \[PDF, 107KB\]](#) and Non-Creditable [Model Non-Creditable Coverage Disclosure Notice \[PDF, 100KB\]](#) model notices, which are to be used on or after April 1, 2011.

Please feel free to contact your SBA Consultant with any questions.

*July, 2001*