



MEDICARE ENROLLMENT & APPEALS GROUP

DATE: December 14, 2017

TO: All Medicare Advantage Organizations, Prescription Drug Plans, Cost Plans, PACE Organizations and Demonstrations

FROM: Jerry Mulcahy
Director, Medicare Enrollment & Appeals Group

SUBJECT: Extension of Special Enrollment Period for Individuals Affected by Hurricanes in Puerto Rico and U.S. Virgin Islands and California Wildfires

The Centers for Medicare & Medicaid Services (CMS) is providing additional opportunities to join, drop or switch Medicare health and prescription drug plans for individuals affected by the recent hurricanes in Puerto Rico and the U.S. Virgin Islands and the wildfires in California.

Fall 2017 Hurricanes Impacting Puerto Rico and the U.S. Virgin Islands

Medicare beneficiaries affected by the hurricanes in Puerto Rico and the U.S. Virgin Islands are eligible for a special enrollment period (SEP) through March 31, 2018. This SEP provides affected individuals with an additional one-time opportunity to add, drop or change their Medicare health and prescription drug plans. Individuals will be considered “affected” and eligible for this SEP if they reside, or resided at the start of the incident period, in Puerto Rico or the U.S. Virgin Islands. This SEP can be used, even if the person made a choice during Medicare’s fall open enrollment period, and it helps those who left Puerto Rico and feel that a local Medicare Advantage or Medicare prescription drug plan would better meet their healthcare needs.

In addition, beneficiaries who change their permanent residence, rather than temporarily relocate, and no longer reside in their Medicare Advantage or prescription drug plan service area are eligible to join a Medicare Advantage or prescription drug plan offered in the new area in which they reside through the existing residence change SEP, as outlined in §30 of Chapter 2 of the Medicare Managed Care Manual and Chapter 3 of the Medicare Prescription Drug Benefit Manual. This SEP begins on the date of the move or the date the individual notifies the plan of the permanent move and ends two months later. Further, displaced individuals who use either of these SEPs to join a plan in the new area in which they reside, upon their return to Puerto Rico or the U.S. Virgin Islands, would be eligible for this residence change SEP to rejoin their prior Medicare health or drug plan or another Medicare plan that meets their needs.

California Wildfires

CMS is providing beneficiaries affected by the California wildfires an SEP that gives them an additional opportunity through March 31, 2018 to add, drop or change their Medicare health and

prescription drug plan in the event they were unable to make an election during the fall open enrollment period or another election period for which they were eligible. Individuals will be considered “affected” and eligible for this SEP if they reside, or resided at the start of the incident period, in the FEMA declared emergency or major disaster area related to the recent wildfires in California. We note that an individual can use this SEP once for each election period they missed. Thus, individuals who made an election during the annual election period (AEP) cannot use this SEP to make a second AEP election.

Additional Guidance

Coverage changes using the special enrollment opportunities due to these disasters will be effective the first of the month following the plan’s receipt of the enrollment request. These SEPs are also available to those individuals who don’t live in the affected areas but rely on help making healthcare decisions from friends or family members who live in the affected areas. Plan sponsors may ask for proof of residence to determine if an individual resided in an affected area (e.g., driver’s license, utility bills, etc.) at the start of the incident period, but must accept an attestation if an applicant states that his or her documents were destroyed or are inaccessible.

We note that individuals with End-Stage Renal Disease (ESRD) have additional limitations that do not permit enrollment in another Medicare Advantage organization, even if they are eligible for a SEP. Such individuals should consider their options carefully before using this SEP to leave their current Medicare Advantage plan, as Medicare Fee-for-Service may be their only option. Should a displaced individual with ESRD leave their current plan then return to Puerto Rico or the U.S. Virgin Islands, he or she would not be eligible to join their prior or another Medicare Advantage plan.

Please direct general questions to your CMS Account Manager. For enrollment policy questions regarding the SEP, please submit your inquiry to PDPENROLLMENT@cms.hhs.gov.