



# Medicare Election Periods

When can a broker sell MAPD or PDP Plans

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# Agenda

## Common Election Periods

- New to Medicare
  - ICEP – Initial Coverage Election Period (MA/MAPD)
  - IEP – Initial Enrollment Period (MAPD/PDP)
- AEP – Annual Enrollment Period
- OEP – Open Enrollment Period
- OEPI – Open Enrollment Period for Institutionalized Individuals

## Special Election Periods

- Loss of Coverage
- Change in Residence
- Low Income - New to LIS/Extra Help vs. No changes to LIS Extra Help
- SNP/SPAP/Pace
- SEP for Government Entity-Declared Disaster or Other Emergency
- SEPs for Disenrollment
- SEP for Individuals Who Enroll in Part B during the Part B General Enrollment Period (GEP)
- SEP for Other Exceptional Circumstances

## Common Mistakes

## Sources & Tools

## Questions





# New to Medicare - Entitlement to Medicare Part A, B & D

To be eligible to elect an MA or MAPD plan, an individual must be entitled to Medicare Part A and enrolled in Part B and must be entitled to Medicare Part A and Part B benefits as of the effective date of coverage under the plan.

To be eligible for Part D and to enroll in a PDP, an individual must be entitled to Medicare Part A or enrolled in Part B as of the effective date of coverage under the PDP.

Most individuals are eligible to enroll in Parts A & B surrounding their 65<sup>th</sup> birthday. Their entitlement is generally the 1<sup>st</sup> of the month they aged 65.

The one exception to this is when the individual's birthday falls on the 1<sup>st</sup> of the month, they are entitled the 1<sup>st</sup> of the prior month. Example: Date of birth is April 1<sup>st</sup>; they would be entitled to Medicare on March 1<sup>st</sup>.

There are other times individuals obtain Medicare Entitlement due to disability, ESRD and other exceptions. They must still follow the rules above to enroll in MA/PDP plans.





# Initial Coverage Enrollment Period (ICEP)

The ICEP is the period during which an individual newly eligible for MA may make an initial enrollment request to enroll in an MA or MAPD plan. This period begins three months immediately before the individual’s first entitlement to both Medicare Part A and Part B and ends on the later of one of two scenarios



Note: Once an ICEP/IEP enrollment request is made and enrollment takes effect, both are considered used as their “New to Medicare” election.

## Scenario 1

If the member enrolls in both A& B at the same time, they get the 3 months prior, month of, and 3 months after to enroll.

An enrollment can be made for an MA, MAPD or PDP plan.

Part A & B both Effective 4/1/2020

Enrollment period is:

3 months before			Month of	3 months after		
Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20

## Scenario 2

If the member’s Part B is effective later than Part A, they get 3 months prior to the Part B effective date to enroll.

An enrollment can be made only for an MA or MAPD plan. They cannot enroll in a PDP only when B is delayed unless they qualify for another election period. New to B does not allow an enrollment in a PDP only.

Example:

Part A Effective 1/1/2019

Part B Effective 4/1/2020

3 months before		
Jan-20	Feb-20	Mar-20



# Initial Enrollment Period (IEP)

Individuals who are becoming eligible for Medicare will have an Initial Enrollment Period for Part D that is the 7-month period surrounding their Initial Medicare eligibility. IEP is the 7-month period that begins 3 months before the month an individual meets the eligibility requirements for Part B and ends 3 months after the month of eligibility.

Individuals eligible for Medicare prior to age 65 (such as for disability) will have another Initial Enrollment Period for Part D based upon attaining age 65.

## IEP vs ICEP

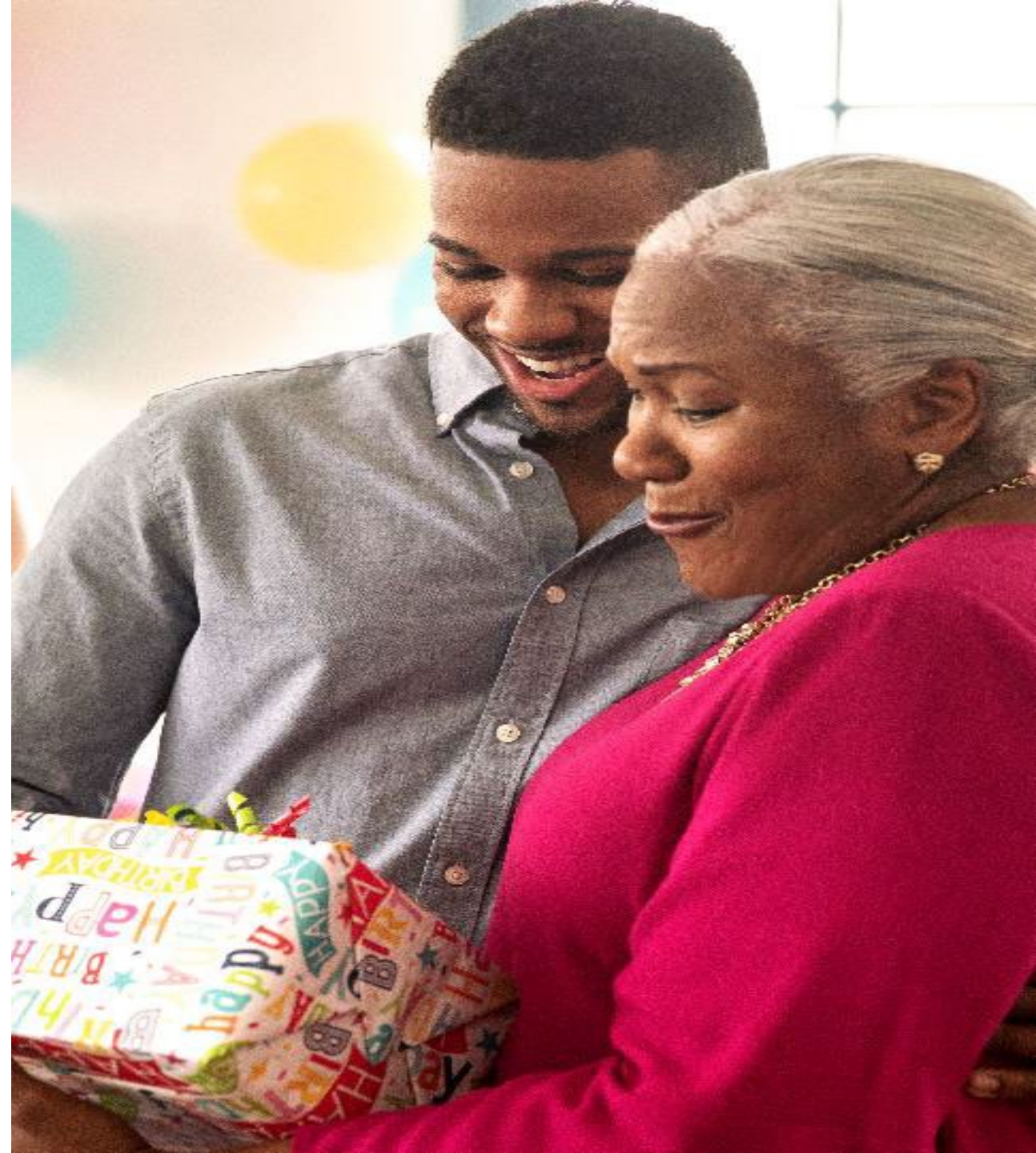
When a member enrolls as “new” to Medicare, the plan determines whether to use IEP or ICEP.

- PDP only – always uses IEP
- MAPD – uses IEP when A/B are within 3 months of each other as it has a Part D attached.
- MAPD – uses ICEP only when A/B are more than 3 months apart.
- MA only - uses ICEP as there is no Part D attached.

### Reasons for Initial Enrollment Period Eligibility

- ☐ I'm new to Medicare.
- ☐ I'm new to Medicare, and I was notified about getting Medicare after my Part A and/or Part B coverage started.
- ☐ I had Medicare prior to now, but I'm now turning 65.

Note: Once an ICEP/IEP enrollment request is made and enrollment takes effect, both are considered used as their “New to Medicare” election.





#### Reason for Annual Enrollment Period Eligibility

☐ I'm enrolling between 10/15/22-12/7/22 during the current Annual Enrollment Period.

#### Annual Election Period



Annual  
Election  
Period Begins



Annual  
Election  
Period Ends



Date  
Coverage  
Starts

## Annual Election Period (AEP)

Beginning in 2011, the AEP is from October 15 through December 7 of every year. It is also referred to as the “Fall Open Enrollment” season and the “Open Enrollment Period for Medicare Advantage AND Medicare prescription drug coverage” in Medicare beneficiary publications and other tools.

A member can change their election more than once during this time.

- The last application received is the one that goes into effect except when two applications are submitted on the same day.
- CMS will only accept the 1<sup>st</sup> application if they have the same received date. Submitting more than one application on the same day may cause problems.



# Open Enrollment (OEP)

During the MA OEP, MA plan enrollees may enroll in another MA plan or disenroll from their MA plan and return to Original Medicare.

Individuals may make only one election during the MA OEP.

This chart outlines who can use the MA OEP and when:

Who can use MA OEP	MA OEP Occurs:
Individuals enrolled in an MA plan on January 1st	January 1 – March 31
New Medicare beneficiaries who are enrolled in an MA plan during their ICEP	The month of entitlement to Part A and Part B – the last day of the 3rd month of entitlement

Reasons for Open Enrollment Period Eligibility

Between 1/1/23 and 3/31/23:

☐ I'm in a Medicare Advantage plan and want to make a change.

Between 4/1/23 and 12/31/23:

☐ I'm in a Medicare Advantage plan and have had Medicare for less than 3 months. I want to make a change.

## So what can the member do during OEP?

- Individuals enrolled in either MAPD or MA-only plans can switch to:
  - MA-PD
  - MA-only
  - Original Medicare (with or without a stand-alone Part D plan)

The effective date for an MA OEP election is the first of the month following receipt of the enrollment request.

Remember, newly eligible members have an OEP when they first enroll. Does not have to be Jan-Mar.

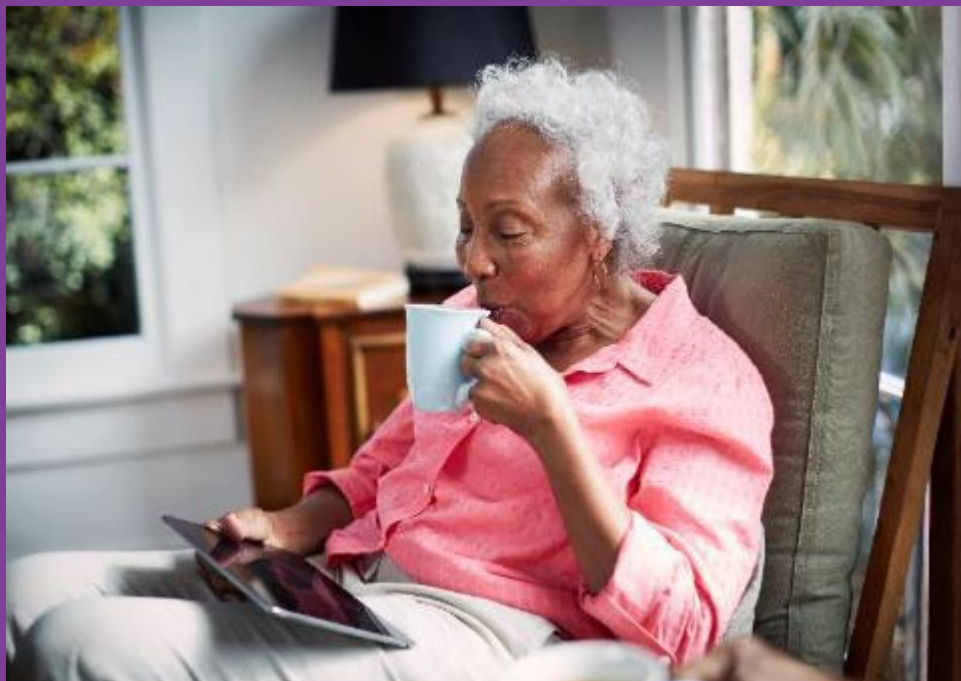
**NOTE:** The MA OEP does not provide an opportunity for an individual enrolled in Original Medicare to join a MA plan. It also does not allow for Part D changes for individuals enrolled in Original Medicare, including those enrolled in stand-alone Part D plans. The MA OEP is not available for those enrolled in Medicare Savings Accounts or other Medicare health plan types (such as cost plans or PACE).

## Examples of what the plan and agent may not do during the OEP.

- Send unsolicited materials advertising the ability/opportunity to make an additional enrollment change or referencing the OEP;
- Specifically target beneficiaries who are in the OEP because they made a choice during Annual Enrollment Period (AEP) by purchase of mailing lists or other means of identification;
- Engage in or promote agent/broker activities that intend to target the OEP as an opportunity to make further sales; or
- Call or otherwise contact former enrollees who have selected a new plan during the AEP. For more information on the OEP,







# Open Enrollment Period for Institutionalized Individuals (OEPI)

The OEPI is continuous for eligible individuals. For purposes of enrollment/disenrollment under the OEPI election period, an institutionalized individual is defined as an individual who moves into, resides in, or moves out of an institution.

The OEPI ends two months after the month the individual moves out of the institution

Institutionalized Individual - An individual who resides in an institution:

- Skilled nursing facility (SNF)
- Nursing facility (NF)
- Intermediate care facility for the mentally retarded (ICF/MR)
- Psychiatric hospital
- Rehabilitation facility
- Long-term care facility

- ☐ I live in a long-term care facility, like a nursing home or a rehabilitation hospital.
- ☐ I recently moved out of a long-term care facility, like a nursing home or rehabilitation hospital. I moved out of the facility on \_\_/\_\_/\_\_(date).



# Special Election Periods

The length of a Special Enrollment Period (SEP) and the effective date of new coverage vary depending on the circumstances that trigger the SEP.

The plan and, in some cases, the Centers for Medicare & Medicaid Services (CMS), determine whether an applicant qualifies for an SEP based on Medicare Guidelines.

The rules for changing Medicare drug plans are the same whether you are in a stand-alone drug plan that only covers drugs or a Medicare Advantage Plan that covers both health care and drugs.



# Special Election Periods

## LOSS OF COVERAGE

### I am leaving Employer Group Coverage (including COBRA)

- SEP – EGHP
- You can enroll in an MAPD or PDP.
- You get two months after your coverage ends to enroll.
- Effective date can be chosen up to 3 months from the date of receipt of the application.

☐ I left coverage from my employer or union (including COBRA coverage) on \_\_\_\_/\_\_\_\_/\_\_\_\_ (date).

### My current plan is non- renewing or has a service area reduction

- SEP – Non-Renewal
- You can enroll in an MAPD or PDP
- You get from Dec 8<sup>th</sup>-End of February to enroll.
- Effective date is the first of month after application date.

☐ I lost my coverage because my plan no longer covers the area that I live or it ended its contract with Medicare.

### I am involuntarily losing creditable prescription coverage.

- SEP – Involuntary Loss
- You can enroll in an MAPD or PDP
- You get two months after your coverage ends to enroll.
- Effective date is the first of month after application date

☐ I lost other, non-Medicare drug coverage (creditable coverage), or my other non-Medicare coverage changed and is no longer considered creditable coverage. I lost my drug coverage on \_\_\_\_/\_\_\_\_/\_\_\_\_ (date).



# Special Election Periods

**An SEP for change in residence or “move” exists for the following:**

- 1) individuals who are no longer eligible to be enrolled in an MA plan due to a change in permanent residence outside of the MA plan service area;
- 2) individuals who were not eligible for MA because they were incarcerated and have now been released, or;
- 3) individuals who will have new Medicare health or Part D plans available to them as a result of a permanent move.

This SEP allows for enrollment elections only. It begins on either the date the member permanently moves or the date they notify the plan.

The SEP lasts for 2 months following the move or the date the member notified the plan of the move, whichever is later.

The individual may choose the effective date of up to 3 months after the plan receives the enrollment request. However, it can not be prior to the actual move date.

## Notes about Out of Area:

When the member notifies the plan of their permanent move that places them out of the service area, the plan is required to disenroll the member the first of the following month after notification. The member needs to be advised of this to avoid any gaps in coverage so they can enroll in their new service.

When CMS or another source advises the plan of a possible move out of area, the plan will make attempts to confirm the move. If the member fails to reply within 6 months for an MAPD or 12 months for a PDP, they will be disenrolled.

- ☐ I moved to a new address that's outside my current plan's service area, or I recently moved and this plan is a new option for me. I moved on \_\_\_/\_\_\_/\_\_\_ (date).

☐ I was released from jail. I was released on \_\_\_/\_\_\_/\_\_\_ (date).



# Special Election Periods For Dual Eligible or LIS

☐ I recently had a change in my Medicaid (newly got Medicaid, had a change in level of Medicaid assistance, or lost Medicaid) on \_\_/\_\_/\_\_(date).

Change to  
LIS or  
Extra Help

☐ I recently had a change in my Extra Help paying for my drug costs (newly got Extra Help, had a change in the level of Extra Help, or lost Extra Help) on \_\_/\_\_/\_\_(date).

New to  
LIS or  
Extra Help

Loss of  
LIS or  
Extra Help

All have an SEP to make one election to enroll or disenroll from an MAPD or PDP plan. The election is valid for 3 months from the date of the event or notice of the event. The effective date is the first of the month following the application date.



# Special Election Periods For Dual Eligible or LIS

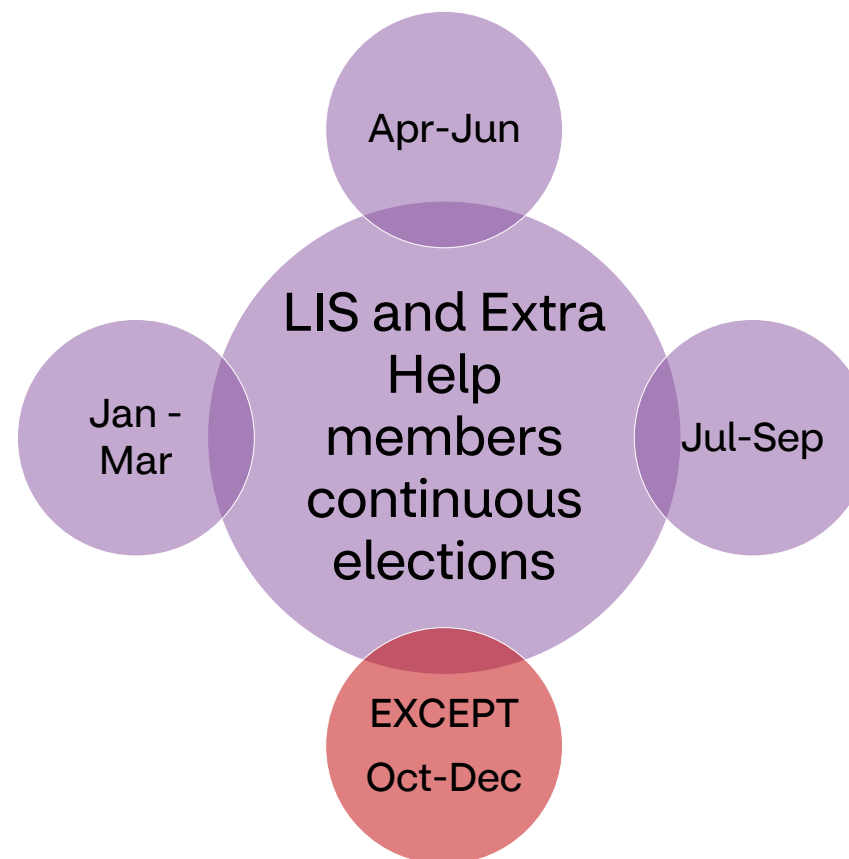
For continuing dual eligible members, they have an SEP to make a change once per quarter except the 4<sup>th</sup> quarter of each year. They are expected to use AEP during the 4<sup>th</sup> quarter.

It's considered used based on the application date not the effective date. For example, an application received on 3/12 for a 4/1 effective date is “used” during the 1<sup>st</sup> quarter not the 2<sup>nd</sup> quarter.

It's considered used for that quarter no matter which month they use it in.

The effective date is always the first of the month following the application date.

This SEP is separate from the prior slide and use of the New/Loss/Change does not apply to this SEP.



☐ I have both Medicare and Medicaid, my state helps pay for my Medicare premiums, or I get Extra Help paying my Medicare drug coverage.



# Special Election Periods

## SNP

An SEP exists to enroll in another plan when a member loses their SNP eligibility. For example, no longer has Medicaid and is enrolled in a DSNP.

This SEP begins when the member is deemed not eligible and lasts for three months after the period of expiration of the period of deemed continued eligibility or when the member makes an election.

☐ I lost my Special Needs Plan because I no longer have a condition required for that plan. I was disenrolled from the plan on \_\_/\_\_/\_\_ (date).

## SPAP

Members who belong to a State Pharmaceutical Assistance Programs (SPAP) have an SEP to enroll, or make one change if already enrolled, into an MAPD or PDP plan. This SEP can only be used once per year.

Loss of SPAP also allows an SEP to enroll or disenroll from an MAPD or PDP for up to 2 months after they lose SPAP.

☐ I'm in a State Pharmaceutical Assistance Program, or I am losing help from a State Pharmaceutical Assistance Program.

## PACE

Members who disenroll from a PACE plan can enroll in an MA plan for up to two months after they leave. In addition, members may disenroll at any time to enroll in a PACE plan.

☐ I dropped my coverage in a PACE (Programs of All-Inclusive Care for the Elderly) plan on \_\_/\_\_/\_\_ (date).



# Special Election Periods

## SEP for Government Entity-Declared Disaster or Other Emergency



A SEP may exist for individuals affected by a disaster or other emergency declared by a Federal, state or local government entity who were unable to, and did not make an election during another valid election period. This includes both enrollment and disenrollment elections.

Individuals are eligible for this SEP if they

- Reside, or resided at the start of the SEP eligibility period described in this guidance, in an area for which a federal, state or local government entity has declared a disaster or other emergency or they do not reside in an affected area but rely on help making healthcare decisions from one or more individuals who reside in an affected area; and;
- Were eligible for another valid election period at the time of incident period; and
- Did not make an election during that other valid election period due to the disaster or other emergency.

The SEP starts as of the date the declaration is made, the incident start date or, if different, the start date identified in the declaration, whichever is earlier. The SEP ends 2 full calendar months following the end date identified in the declaration or, if different, the date the end of the incident is announced, whichever is later.

Source: Chapter 2, MA Enrollment and Disenrollment Guidance

<https://www.cms.gov/medicare/eligibility-and-enrollment/medicaremanagementagencyeligibilityanddisenrollment>

- ☐ I was affected by an emergency or major disaster (as declared by the Federal Emergency Management Agency, or by Federal, my state or my local government). One of the other statements applied to me, but I was unable to make my request because of the disaster.





# Special Election Periods for Disenrollment

## SEP65

- Members who enroll in an MAPD using their ICEP when they aged 65, have an SEP to disenroll and return to original Medicare any time during the first 12 months of enrollment.
- This SEP can also be used to enroll in a PDP only plan to go along with original Medicare.

## SEP – Trial Period

- An SEP exists for members who dropped a Medigap plan to enroll in an MAPD for the first time and who are still in the “trial period” (first 12 months). This allows them to re-enroll in a Medigap plan using their “guaranteed issue” and disenroll from the MAPD plan.
- They can also use this SEP to enroll in a PDP only plan to go along with the Medigap plan.





# Special Election Period – Disenrollment from Part D to Enroll in or Maintain Creditable Coverage

Individuals may disenroll from an MA-PD or PDP plan to enroll in or maintain other creditable drug coverage (such as TriCare or VA coverage).

The effective date of disenrollment is the first day of the month following the month a disenrollment request is received by the MA organization.

Additionally, individuals enrolled in an MA-PD plan who have or are enrolling in other creditable coverage may use this SEP to disenroll from the MA-PD plan by enrolling in an MA-only plan.



# SEP for Individuals Who Enroll in Part B during the Part B General Enrollment Period (GEP)

Beneficiaries who do not enroll into Medicare during their initial enrollment period can enroll in Medicare during the annual General Enrollment Period from Jan 1-Mar 31.

Their Medicare Part A and/or B will be effective on the 1<sup>st</sup> of the following month after they apply.

They can then choose to enroll in a Part C (MAPD) or D (PDP) plan.



## What is the criteria to enroll in an MA or PDP plan due to GEP?

- ☐ Beneficiaries can enroll in an MA or MAPD plan using **ICEP**
- ☐ Beneficiaries can only enroll in a PDP plan using the **GEP** SEP if they meet the following criteria:
  - ✓ Do NOT have premium-free Part A.
  - ✓ Enrolled in Part B using the GEP for entitlement.

The effective date of the plan will be the 1<sup>st</sup> of the month of entitlement to Medicare for both options above.

Application must be submitted prior to the date of entitlement.

- ☐ Retroactive notification - If notification of entitlement is made after the effective date of entitlement, an application can be submitted using the SEP RET – “I was recently notified by Medicare that I received Medicare Part A, B, or D retroactively”.
- ✓ The SEP begins the month the individual receives the notice of the retroactive Medicare entitlement determination and continues for two additional calendar months after the month the notice is received. The effective date is the first day of the month after the MA plan receives the enrollment request.



# Special Election Periods

There are many other Special Election Periods that fit special circumstances.

- SEP for Individuals Enrolled in Cost Plans that are Non-renewing their Contracts
- SEP for Individuals Who Disenroll in Connection with a CMS Sanction
- SEP for Individuals Whose Medicare Entitlement Determination Made Retroactively
- SEP for individuals involuntarily disenrolled from an MAPD due to loss of Medicare Part B – enroll in a PDP only
- SEP for Enrollment Into a Chronic Care SNP and for Individuals Found Ineligible for a Chronic Care SNP
- SEP for MAPD enrollees who disenroll from an MAPD using OEPI to enroll in a PDP only
- SEP for individuals disenrolling from a Cost Plan who also had the Cost Plan Optional Supplement Part D Benefit to enroll in PDP only
- SEP for Non-U.S. Citizens who become Lawfully Present
- SEP for Providing Individuals who Requested Materials in Accessible Formats Equal Time to Make Enrollment Decisions
- SEP for CMS and State-Initiated Enrollments
- SEP to enroll in a 5-Star plan
- SEP for individuals enrolled in a plan that has been identified by CMS as a consistent poor performer

For further understanding, the MAPD and PDP Guidance are your best resource.



# Common Mistake

## ICEP vs. Loss of EGHP

Brokers often mistake the rule about ICEP when Part B is obtained later than Part A.

The election period is only valid for the 3 months PRIOR to their Part B effective date and can only be used to enroll in an MA or MAPD plan. They cannot use “new to Medicare” to enroll in a PDP only when Part B is delayed.

The application has to be submitted prior to their entitlement date to Part B.

So often brokers think the member still has the full 7 months to enroll, however, they don't when Part B is deferred during their Part B eligibility period and obtained at a later date than Part A.

However, a large majority of the time, a member gets Part B at a later date because they remained employed and had an Employer Group Health Plan (EGHP).

The election period for enrollments after the Part B entitlement date can often be processed using “Loss of EGHP” as the election period and they can enroll in MAPD, MA or PDP.

If the app denies for invalid election period, the broker can submit the attestation form to correct the election period if the member did lose their coverage from their employer within the last two months.

☐ I left coverage from my employer or union (including COBRA coverage) on \_\_/\_\_/\_\_ (date).





# Sources & Tools

Understanding Medicare Part C & D

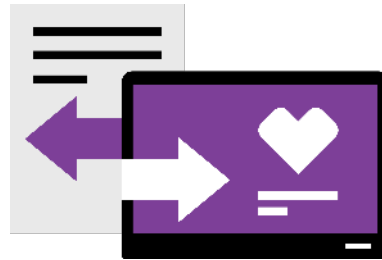
<https://www.medicare.gov/publications/11219-Understanding-Medicare-Advantage-Medicare-Drug-Plan-Enrollment-Periods.pdf>

Medicare Managed Care Manual

<https://www.cms.gov/Medicare/Eligibility-and-Enrollment/MedicareMangCareEligEnrol>

Medicare Prescription Drug Manual

<https://www.cms.gov/Medicare/Eligibility-and-Enrollment/MedicarePresDrugEligEnrol>





# Questions?

