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# legislativeUPDATE

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## Medicare Part D Notices Due Before October 15th

The annual Notice of Creditable Coverage required under Medicare Part D must be distributed before October 15th. The Centers for Medicare and Medicaid Services (CMS) requires employers that offer prescription drug coverage to notify their Medicare-eligible participants whether their prescription drug coverage constitutes creditable or noncreditable coverage. This notification must be provided prior to the start of the annual Part D enrollment period of October 15th through December 7th.

This written disclosure notice must be provided prior to October 15th annually to all Medicare-eligible individuals who are covered under a prescription drug plan, and at various times, including when a Medicare-eligible individual joins the plan. This disclosure must be provided to Medicare-eligible, active working individuals and their dependents; Medicare-eligible, COBRA individuals and their dependents; Medicare-eligible, disabled individuals covered under the employer's prescription drug plan; and any retirees and their dependents. There is a late enrollment penalty on individuals who do not maintain creditable coverage for a period of 63 days or longer following the initial enrollment period for the Medicare prescription drug benefit. Accordingly, this information is essential to an individual's decision whether to enroll in a Medicare Part D prescription drug plan.

The model Creditable and Non-Creditable notices and instructions are available [here](#). The forms, last updated in 2011, are available in both English and Spanish. More information on the Medicare Part D disclosures, including the Disclosure to CMS Form that must be submitted electronically within 60 days of the beginning of each plan year, is available at the [CMS Creditable Coverage web page](#).

Should you have questions about this or any aspect of group health plan requirements, contact your Conner Strong & Buckelew account representative toll free at 1-877-861-3220. For a complete list of Legislative Updates issued by Conner Strong & Buckelew, visit our online [Resource Center](#).



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