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DATE: February 16, 2011

TO: All Medicare Advantage Organizations, Prescription Drug Plan Sponsors, Cost-Based Contractors, and Health Care Prepayment Plans

SUBJECT: Updated Medicare Part C and Part D Appeals Notices and Appointment of Representative Form

FROM: Anthony Culotta, Director
Medicare Enrollment & Appeals Group

The purpose of this memorandum is to reiterate to Medicare Advantage organizations, other health plans, and Part D plan sponsors that updated versions of the Medicare coverage denial and appeals notices and the Appointment of Representative (AOR) form are posted on the CMS website at:

www.cms.gov/CMSForms/CMSForms

As announced on the user group call January 5, 2011, plans are to begin using the updated notices listed below as soon as possible, but no later than February 28, 2011:

AOR Form

- Appointment of Representative Form (CMS 1696)

Part C Notices

- Notice of Denial of Medical Coverage / Notice of Denial of Payment (CMS 10003)
- Notice of Medicare Non-Coverage / Detailed Explanation of Non-Coverage (CMS 10095)

Part D Notice

- Notice of Denial of Medicare Prescription Drug Coverage (CMS 10146)

Additional guidance concerning the Medicare Part C and D appeals notices is available on the following webpages:

- Part C appeals: www.cms.gov/MMCAG/
- Part D appeals: www.cms.gov/MedPrescriptDrugApplGriev/

Detailed guidance concerning use of the coverage denial and appeals notices appears in the form instructions corresponding with the notices and in manual guidance in Chapter 13 of the Medicare Managed Care Manual and Chapter 18 of the Medicare Prescription Drug Benefit Manual.

Questions

For questions regarding the Part C notices, please send email to Part_C_Appeals@cms.hhs.gov. For questions concerning the Part D notices, send email to PartD_Appeals@cms.hhs.gov.