

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, Maryland 21244-1850



## **CENTER FOR BENEFICIARY CHOICES**

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**DATE:** September 7, 2006

**TO:** All Part D Plan Sponsors and Medicare Advantage Organizations

**FROM:** Anthony Culotta, Director  
Medicare Enrollment and Appeals Group

**SUBJECT:** 2007 Plan Marketing and the Annual Enrollment Period (AEP)

Part D plan sponsors and Medicare Advantage (MA) organizations may not solicit submission of paper enrollment forms or accept telephone or on-line enrollments prior to the beginning of the AEP on November 15, 2006. Brokers and agents under contract to Part D sponsors and MA organizations may not accept or solicit submission of paper enrollment forms prior to November 15. Part D sponsors, MA organizations, and their brokers and agents also should remind beneficiaries that they cannot submit enrollment requests until November 15.

Despite these efforts, CMS recognizes that Part D plan sponsors and MA organizations may receive 2007 paper enrollment forms prior to the start of the 2007 AEP on November 15, given that marketing activities may begin on October 1, 2006. If a Part D plan sponsor or MA organization receives paper enrollment forms on or after October 1 but prior to November 15, 2006, it must retain and process them as follows:

- Within 7 calendar days of the receipt of a paper enrollment request, the Part D plan sponsor or MA organization must provide the beneficiary with a written notice that acknowledges receipt of the complete enrollment request, and indicates that the enrollment will take effect on January 1, 2007.
- For 2007 enrollment requests received prior to November 15, 2006, the Part D plan sponsor or MA organization must submit all transactions to CMS systems (MARx) on November 15, 2006 with an "application date" of November 15, 2006. If a beneficiary has submitted more than one application prior to November 15, the beneficiary will be enrolled in a plan based on the first application that is processed.
- Once the Part D plan sponsor or MA organization receives a MARx reply listing report from CMS indicating whether the individual's enrollment has been accepted or rejected, it must meet the remainder of the requirements (e.g., sending a notice of the acceptance or rejection of the enrollment within 7 business days

following receipt of the reply report from CMS) provided in Section 30.4 of the PDP Enrollment, Eligibility and Disenrollment Guidance and in Section 40.4.2 of Chapter 2 of the Medicare Managed Care Manual (Medicare Advantage Enrollment and Disenrollment).

*Note:* If organizations receive incomplete unsolicited applications prior to November 15, they should follow existing guidance for working with beneficiaries to complete the applications.

Again, this policy applies only to the receipt of unsolicited paper enrollment forms prior to the beginning of the 2007 AEP on November 15, 2006. To help ensure a successful AEP season, it is imperative that plans follow these steps and submit valid enrollment transactions promptly as directed.

Please direct questions about this process to Randy Brauer at: [randy.brauer@cms.hhs.gov](mailto:randy.brauer@cms.hhs.gov) or (410) 786-1618.