

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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### **MEMORANDUM**

**TO:** Medicare Prescription Drug Plan Organizations

**FROM:** Cynthia G. Tudor, Ph.D. Director, Medicare Drug Benefit Group /s/  
David A. Lewis, Acting Director, Medicare Advantage Group /s/

**RE:** Medicare Prescription Drug Benefit Program Mark

**DATE:** August 29, 2006

In accordance with the Medicare Marketing Guidelines for Medicare Advantage (MA), Medicare Advantage Prescription Drug Plans (MA-PD), Prescription Drug Plans (PDP) and 1876 Cost Plans, CMS will issue to Medicare Prescription Drug Plan (MA-PD and PDP) applicants the official Medicare Prescription Drug Benefit Mark. The Mark is being issued to Medicare Prescription Drug Plans to use the Mark's image on marketing materials, as defined in the Medicare Marketing Guidelines.

However, prior to the Mark being distributed to Plans, each new Part D Plan must sign and return the attached license agreement between the Centers for Medicare & Medicaid Services (CMS) and the Medicare Prescription Drug Plan applicant for the use of the Mark. By signing the license agreement, Plans are attesting to the appropriate use of the Medicare mark. The agreement has been signed on behalf of CMS and requires the signature of an officer of your Plan or a designee able to legally bind the organization. The license agreement is effective for a single contracting year. All **renewing** Part D plans must submit a signed license agreement in order to continue use of the Mark during contracting year 2007.

Please note that although CMS is releasing the Medicare Mark at this time to allow Plans to develop marketing materials, the distribution of the Mark is no indication that your Plan has been or will be approved as a Part D Plan. If the plan contract is not approved, Plans must cease using the Mark. Failure to do so may result in fines and penalties.

Marketing materials, as defined by the Medicare Marketing Guidelines that contain the mark should be submitted as instructed, for review. Marketing of Part D is not to begin until **October 1, 2006**. Any marketing, with or without the Medicare Mark prior to October 1, 2006 is prohibited.

When the License Agreement is signed (please keep a copy for your file) return it to:

Eugenia Mattison Gibson  
Mail Stop C1-25-05/Location C1-24-03  
Attn: Part D Medicare Prescription Drug Benefit Program Mark  
7500 Security Boulevard  
Baltimore, Maryland 21244-1850

Upon receipt of the signed License Agreement from each Plan, a URL link to the mark will be emailed to the Plan. If you have questions related to the Medicare Mark, please contact Eugenia Mattison Gibson on 410-786-2564 or by email at [Eugenia.MattisonGibson@cms.hhs.gov](mailto:Eugenia.MattisonGibson@cms.hhs.gov)

