

PRA for Model Creditable Coverage Disclosure Notices and General Creditable Coverage Guidance

Background

- Disclosure Notices and Guidance Posted in the Federal Register for Emergency Clearance on February 11, 2006
 - No public comments received
- Disclosure Notices, including new personalized disclosure notice and Guidance Posted in Federal Register on May 15, 2006 for a 60 day comment period
 - One public commenter – a major consultant firm
 - Two comments submitted
 - Use of an individual’s SSN on the Model Personalized Disclosure Notice - possible security risk
 - Consistent formatting on all Model Disclosure Notices

Overview of Comments

- **Use of SSN on Personalized Disclosure Notice**
 - Due to security concerns, commenter recommended SSN be replaced by DOB or other unique member ID number. Internal CMS comments that HIC numbers also contain SSN and could be a security risk also.
- **Requested that all model disclosure forms be consistently formatted**
 - For administrative ease, have all model disclosure notices have beneficiary information formatted consistently and in the same order. Internal CMS Beneficiary Communications team commented on new preferred terminology to match Medicare & You.

CMS Recommended Responses

- **Use of SSN on Personalized Disclosure Notice**
 - CMS agrees that the SSN and the HICN should be replaced by date of birth or a unique member identification number which would provide Part D plans with a method to validate the creditable coverage disclosure being presented during the enrollment process.
 - CMS will post a revised Model Personalized Disclosure Notice and updated General Creditable Coverage Guidance to reflect these changes.
- **Formatting of Model Disclosure Notices**
 - All Model Notices contained the same basic disclosure and beneficiary information.
 - CMS formatted disclosure notices to emphasize different areas to help educate the beneficiary on key issues they need to know prior to enrolling about their current coverage and their options. Beneficiary tested by Beneficiary Communications staff.
 - CMS agrees that making minor formatting changes would make the documents more consistent. However, CMS believes that there is a need to have the order of information in the Model Creditable Disclosure differ from the Model Non-Creditable Disclosure Notices to assist in beneficiary education about the status of the prescription drug plan being provided by the entity and whether the individual can retain their coverage

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