**Responses to Comments**

***Federal Register* Notice on CMS-10147**

CMS received comments from two commenters on the June 13, 2014 *Federal Register* notice extending the use of this currently approved collection entitled “Medicare Prescription Drug Coverage and Your Rights.” We received comments from a health plan and an association

**Comment**

One commenter recommended revising the pharmacy notice to address an enrollee’s right to discuss with his/her doctor the possibility of finding a different drug that the plan will cover without restriction.

**CMS Response**

The regulation at 42 CFR § 423.562(a)(3) states that Part D plan sponsors must arrange with network pharmacies to distribute a pharmacy notice instructing enrollees “how to contact their plans to obtain a coverage determination or request an exception.” The existing pharmacy notice satisfies this requirement. A Part D plan enrollee may consult with his/her prescriber at any time regarding the possibility of using a different prescription drug; we do not believe it is necessary to include such a statement on the pharmacy notice.

**Comment**

One commenter noted that deviating from the existing process could potentially create additional burdens for the pharmacies and recommended keeping the existing process in place.

**CMS Response**

CMS agrees and is not proposing any changes to the existing pharmacy notice at this time.

**Comment**

One commenter noted his thanks for the useful information.

**CMS Response**

None.

No revisions will be made to either the notice or the instructions as a result of these comments.