

Response to Comments
Application for Enrollment in Part B Immunosuppressive Drug Coverage
CMS-10798, OMB 0938-1428

We received 11 comments related to Part B for Immunosuppressive Drug Coverage. Comments were received from states, health plans, advocacy groups, individuals, and other organizations/associations. The form was not revised in response to comments, however, and additional collection instrument was added. The following represents comments that were received related to this collection change.

Comment: Many commenters supported CMS' approach to allow individuals to use various methods to attest to their eligibility and enroll in the Part B-ID benefit. A commenter stated that the options that CMS proposed did not appear to be burdensome. Many commenters supported the verbal attestation, citing that it was simple and efficient, and it would avoid potential delays with signing and mailing statements that could result in delays in accessing needed immunosuppressive drugs. A commenter stated that a written approach would alleviate long wait times on SSA phone lines, but supported both verbal and written options. A commenter strongly opposed use of the written-only option for submitting an attestation. Other commenters recommended that CMS consider additional methods of attestation, particularly electronic submission, fax, or other signed documents.

A commenter stated that CMS took an open-minded and forward-thinking approach to attestation and enrollment in the Part B-ID benefit, and they were encouraged by the Agency's expedient use of the Executive Order (EO) on Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government. The commenter also stated that CMS' plans for defining a suitable process and criteria for beneficiary enrollment in the Part B-ID program is simple, straightforward, and customer-centric.

Response: We appreciate the feedback we received on our Part B-ID eligibility and enrollment proposals. CMS will be partnering with SSA to employ both a verbal and written attestation process for an individual to enroll in the Part B-ID benefit. An individual will be able to contact SSA to verbally provide an attestation to enroll in the Part B-ID benefit, or they can download a PDF-fillable form from the CMS or SSA website, complete the form, and mail to SSA. If an individual does not have internet access, an SSA representative can download the form and mail the form to the caller to complete and mail. At this time, forms will be accepted via U.S. mail delivery, but SSA plans to include an option to receive completed forms via facsimile (fax) in the future. We are also continuing to explore the future development of an electronic process to submit the attestation.

Action Taken: To provide for flexibility for other attestation methods in the future, we are revising § 407.59 to state that an individual must attest to SSA in either a verbal attestation, signed paper form provided by SSA, by electronic submission, or fax under procedures determined by SSA. This will give SSA the flexibility to implement a fax or electronic attestation process in the future, when these options become available.