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Office of Management and Budget (OMB)

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Subject: Non-substantive Change Request – Model Medicare Advantage and Medicare Prescription Drug Plan Individual Enrollment Request Form (CMS-10718, OMB 0938-1378)

This memo requests approval of non-substantive changes to the approved information collection, Model Medicare Advantage and Medicare Prescription Drug Plan Individual Enrollment Request Form (CMS-10718, OMB 0938-1378).

Background

Section 4001 of the Balanced Budget Act of 1997 (Public Law 105-33) enacted August 5, 1997, established Part C of the Medicare program, known as the Medicare + Choice program, now referred to as Medicare Advantage (MA). As required by 42 CFR 422.50(a)(5), an MA eligible individual who meets the eligibility requirements for enrollment into an MA or MA-PD plan may enroll during the enrollment periods specified in §422.62, by completing an enrollment form with the MA organization or enrolling through other mechanisms that the Centers for Medicare & Medicaid Services (CMS) determines are appropriate.

Section 101 of Title I of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) (Public Law 108–173) enacted December 8, 2003, established Part D of the Medicare program, known as the Voluntary Prescription Drug Benefit Program. As required by 42 CFR 423.32(a) and (b), a Part D-eligible individual who wishes to enroll in a Medicare prescription drug plan (PDP) may enroll during the enrollment periods specified in §423.38, by completing an enrollment form with the PDP, or enrolling through other mechanisms CMS determines are appropriate.

OMB approved the revised collection of information on July 1, 2022 to include race and ethnicity questions on the model MA and Part D enrollment form. The detailed race and ethnicity categories collected through the enrollment form are compliant with the 2011 HHS Implementation Guidance on Data Collection Standards for Race, Ethnicity, Sex, Primary Language, and Disability Status to provide granular information for plans and CMS to understand the diversity of the beneficiary population.

Overview of Requested Changes

The model MA and Part D enrollment form asks beneficiaries to respond on a voluntary basis to the question “What’s your race? Select all that apply.” The current version of the enrollment form provides the race sub-categories as response options in alphabetical order. The OMB minimum race categories for “Asian” and “Native Hawaiian or Pacific Islander” are not listed on the enrollment form. OMB’s terms of clearance for the approved information collection, Medicare Part C and Medicare Part D Enrollment Form Interviews (CMS-10816, OMB 0938-1440), required that CMS submit non-substantial change requests to revise its new race question to ensure appropriate and tested alphabetization of race categories with nested sub-categories of race rather than alphabetization of all sub-categories together.

CMS seeks change requests to nest and indent the race sub-category response options in alphabetical order under their appropriate race categories. The enrollment form would list the OMB standard five race categories in alphabetical order: American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Pacific Islander, and White. The “Other Asian” response option would also be listed at the end of the response options for the “Asian” category and the “Other Pacific Islander” response option would be listed at the end of the response options for the “Native Hawaiian or Pacific Islander” category.

This change does not add any new questions, requests for information, or available response options. We do not expect a change in burden.

Time Sensitivities

The OMB-approved model MA and Part D enrollment form is currently in use with an expiration date of July 31, 2024. However, timely approval of this non-substantive package change will allow plans and third-party vendors with sufficient time to review the updated race question on the enrollment form and implement any needed systems changes in advance of the Annual Election Period for the upcoming plan year.