

Medicare Part D Creditable Coverage Notices are Due Before October 15

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Group health plan sponsors are required to send annual notices (as well as at other particular times) to individuals who are eligible for Medicare Part D that explain whether the health plan's prescription drug coverage is "creditable" (i.e., at least as valuable as Medicare Part D prescription drug coverage). This year's annual notice is due before October 15, 2021—the date that the Medicare Part D open enrollment period commences. These creditable coverage notices must be provided to all Medicare-eligible individuals who are covered by the health plan's prescription drug coverage. However, because it can be difficult for an employer to determine who is eligible, many employers simply send the notices to all health plan participants. The notices can be delivered in hard copy or electronically, so long as certain requirements are met. The Centers for Medicare & Medicaid Services (CMS) provides **model notices** for use by plan sponsors, though use of such models is not required. Finally, note that while third parties, such as TPAs or insurers may submit these notices to individuals, the responsibility for doing so ultimately falls to the employer/plan sponsor.

In addition to providing creditable coverage notices to employees, plan sponsors must report this information annually to CMS through use of an **online form**. Generally, the annual notice to CMS must be provided within 60 days of the beginning of the plan year to which the notice relates.

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Practice Areas

Employee Benefits and
Executive Compensation

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If you have any questions regarding Medicare Part D Creditable Coverage Notices or the requirements that apply with respect to disclosure to health plan participants, please contact your servicing Laner Muchin Employee Benefits attorney.