



**MEDICARE-MEDICAID COORDINATION OFFICE**

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**DATE:** December 23, 2015

**TO:** Medicare-Medicaid Plans

**FROM:** Sharon Donovan  
Director, Program Alignment Group

**SUBJECT:** Stipends or Non-Monetary Incentives for MMP Enrollees Who Are MMP Advisory Committee Members

This memorandum provides additional clarification to Medicare-Medicaid Plans (MMPs) regarding stipends and non-monetary incentives for enrollees who are members of MMP advisory committees.

Background

Under their three-way contracts, MMPs are required to establish and maintain advisory committees in the capitated financial alignment demonstrations as part of the process of continued stakeholder engagement. Some of the committee's members must be MMP enrollees. As a result, several states and MMPs have asked if stipends or non-monetary incentives such as gift cards are permissible for MMP enrollees who participate as advisory committee members.

Guidance

Stipends or non-monetary incentives such as gift cards provided to MMP enrollees who participate as members of MMP advisory committees in the financial alignment demonstrations are not considered marketing activities. Therefore, MMPs are permitted to provide such stipends or non-monetary incentives.

MMPs are reminded that the Social Security Administration does not count against an individual's Supplemental Security Income (SSI) award, during each calendar quarter of the year, the individual's first \$60 of infrequent or irregular unearned income or first \$30 of earned income (Social Security Act, as amended, Sections 1612(a)(2)(C), 1612(b)(3), and 1612(b)(7); 20 CFR, Section 416.1121(f)). MMPs are encouraged to be attentive to the definition of infrequent income and the acceptable frequency and dollar amounts referenced. MMPs are also reminded to adhere to any state-specific requirements regarding stipends or non-monetary incentives.

Additionally, MMPs are encouraged to remain mindful of the federal Anti-Kickback Statute, which prohibits the exchange (or offer to exchange), of anything of value, in an effort to induce (or reward) the referral of federal health care program business (42 USC, Section 1320a-7b) and to direct any questions about that statute to [the Office of Inspector General](http://oig.hhs.gov/contact-us/) (<http://oig.hhs.gov/contact-us/>).

If you have any questions about the contents of this memorandum, please contact the Medicare-Medicaid Coordination Office at [MMCOCapsModel@cms.hhs.gov](mailto:MMCOCapsModel@cms.hhs.gov).