**MED D –** **SilverScript and Blue MedicareRx (NEJE) – Resolving Eligibility Issues for Incarcerated or Not Lawfully Present** **Beneficiaries**

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**Description:** Follow this work instruction for SilverScript and Blue MedicareRx (NEJE) for calls related to incarcerated or not lawfully present beneficiaries.

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| Overview |

MED D Customer Care Representatives (CCRs) may receive questions from beneficiaries that have been either involuntary disenrolled or were rejected/denied enrollment due to incarceration status or are considered unlawfully present in the United States. The beneficiary’s disenrollment will be effective the first day of the month following notification by CMS.

The Plan will send a notice informing of the beneficiary’s disenrollment within ten (10) calendar days of receiving notification by CMS:

**SilverScript:**

* [Exhibit 36:](file:///C:\\Users\\C071417\\Documents\\MED%20D%20ENROLLMENT\\Incarceration%20Documents\\For%20Review\\TSRC-PROD-051255) [SilverScript Notification of Involuntary Disenrollment by the Centers for Medicare & Medicaid Services Due to Incarceration](file:///C:\\Users\\C071417\\Documents\\MED%20D%20ENROLLMENT\\Incarceration%20Documents\\For%20Review\\TSRC-PROD-051255)
* [Exhibit 37: SilverScript Notification of Involuntary Disenrollment by the Centers for Medicare & Medicaid Services Due to Loss of Lawful Presence](file:///C:\Users\C071417\Documents\MED%20D%20ENROLLMENT\Incarceration%20Documents\For%20Review\TSRC-PROD-051256)

**Blue MedicareRx (NEJE):**

* [Exhibit 36: Blue MedicareRx Notification of Involuntary Disenrollment by the Centers for Medicare & Medicaid Services Due to Incarceration](file:///C:\\Users\\C071417\\Documents\\MED%20D%20ENROLLMENT\\Incarceration%20Documents\\For%20Review\\TSRC-PROD-051376)

**Note:** Coming Soon Exhibit 37: Blue MedicareRx Notification of Involuntary Disenrollment by the Centers for Medicare & Medicaid Services Due to Loss of Lawful Presence

A denial or rejection of enrollment letter will be sent by the plan, if applicable:

**SilverScript:**

* [Exhibit 6: MED D – SilverScript Rejection Letter from Plan](file:///C:\\Users\\C071417\\Documents\\MED%20D%20ENROLLMENT\\Incarceration%20Documents\\For%20Review\\TSRC-PROD-051298)
* [Exhibit 7: MED D – SilverScript Denial Letter from Plan](file:///C:\Users\C071417\Documents\MED%20D%20ENROLLMENT\Incarceration%20Documents\For%20Review\TSRC-PROD-051297)

**Blue MedicareRx (NEJE):**

* [Exhibit 6: MED D – Blue MedicareRx Rejection Letter from Plan](file:///C:\Users\C071417\Documents\MED%20D%20ENROLLMENT\Incarceration%20Documents\For%20Review\TSRC-PROD-051375)

* [Exhibit 7: MED D – Blue MedicareRx Denial Letter from Plan](file:///C:\\Users\\C071417\\Documents\\MED%20D%20ENROLLMENT\\Incarceration%20Documents\\For%20Review\\TSRC-PROD-051374)

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| Involuntary Disenrollment |

If a beneficiary is calling to discuss the letters above, follow the process below:

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| **Step** | **Action** | | | |
| **1** | From the **Main** screen, click on the **Medicare Part D Inquiry** tab. | | | |
| **If the beneficiary…** | **Then…** | | |
| States that they received a letter from the plan due to incarceration or unlawful presence status. | 1. Let me check the information in the letter you have received.  2. Click on the **Last 12 months of Medicare Communication** button. Locate one of the following letters by reviewing the **Event Codes:**   * + **DINCR** - Incarceration   + **DULAW** – Unlawful Presence   + **DDMCO** - Denial of Enrollment   + **DDENL** - Rejection of Enrollment     Refer to: [MED D - Viewing Correspondence in PeopleSafe](file:///C:\Users\C071417\Documents\MED%20D%20ENROLLMENT\Incarceration%20Documents\For%20Review\TSRC-PROD-003379).  3. Access MARx.  Click on the **Eligibility** link.  **Result:** The Beneficiary: Eligibility **(M232)** screen will display.      Refer to [MED D - Verifying Enrollment, Eligibility and LIS in MARx](file:///C:\Users\C071417\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\XFY4N05Y\CMS-PRD1-076166). | | |
| **If the incarceration or unlawful presence status periods…** | **Then…** | |
| Are **not** removed in MARx | I have verified in CMS’ system that you are currently ineligible to be enrolled in the Plan.  Your disenrollment date was provided on the letter you received. | |
| **If…** | **Then…** |
| The beneficiary disputes the information | Advise the enrollee to contact the Social Security Administration (SSA).  Your disenrollment date was provided on the letter you received. |
| Are Removed | I have reviewed the information in CMS’ system, and you may be eligible for enrollment. I will submit a request for review. You will receive a notification after the review is completed.  Submit the following RM Task in **PeopleSafe:**  **Task Category:** MED D - Disenrollment  **Task Type:** Mistaken Disenrollment  **Queue:** Med D Enrollment Task  **Notes:** Beneficiary <or POA/AOR> called to advise they were involuntarily disenrolled due to **<Incarceration>** or **<Unlawful Presence>**. Beneficiary can be reached at **<current phone number>** at **<best time to contact>**. Eligibility was verified in MARx. | |
| **2** | Close the call:   * Address any benefit issues. * Document and close the call according to existing policies and procedures, including all options discussed.   **Note:** Refer to the [MED D - Call Documentation Including Viewing and Adding Comments in PeopleSafe](file:///C:\Users\C071417\Documents\MED%20D%20ENROLLMENT\Incarceration%20Documents\5.11.22%20call\CMS-PRD1-067665) Work Instruction. | | | |

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| FAQs Incarceration/ Not Lawfully Present |

Use as appropriate:

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| **Question** | **Answer** |
| Will a beneficiary have an opportunity to re-enroll in a plan once SSA and CMS records have been corrected? | Yes, you have a Special Election Period (SEP) for 2 full calendar months after the status is corrected by SSA to enroll in a Part D Plan.  **CCR Process Note:**  Refer to [MED D - Election Periods for Enrollment and Disenrollment (AEP, IEP, SEP)](file:///C:\Users\C071417\Documents\MED%20D%20ENROLLMENT\Incarceration%20Documents\For%20Review\CMS-PCP1-040036). |
| Will a beneficiary be required to pay a Late Enrollment Penalty (LEP)? | No, CMS will not assess a late enrollment penalty (LEP) for the time period when you were not eligible.  **CCR Process Note:**  Refer to [MED D - SilverScript Late Enrollment Penalty (LEP) (CCR Only)](file:///C:\Users\C071417\Documents\MED%20D%20ENROLLMENT\Incarceration%20Documents\For%20Review\TSRC-PROD-045357) and [MED D - Blue MedicareRx (NEJE) Late Enrollment Penalty (LEP)](file:///C:\Users\C071417\Documents\MED%20D%20ENROLLMENT\Incarceration%20Documents\For%20Review\CMS-PCP1-024700). |

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| Related Documents |

**Parent SOP** CALL-0048:[Medicare Part D Customer Care Call Center Requirements-CVS Caremark Part D Services, L.L.C.](https://policy.corp.cvscaremark.com/pnp/faces/DocRenderer?documentId=CALL-0048)

**Abbreviations/Definitions:** [Abbreviations / Definitions](file:///C:\Users\ax02205\Downloads\CMS-2-017428)

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