



## **MEDICARE DRUG & HEALTH PLAN CONTRACT ADMINISTRATION GROUP**

DATE: August 17, 2011

TO: All Medicare Advantage Organizations

FROM: Danielle Moon, J.D., M.P.A., Director

RE: Posting of NCQA SNP Approval Information and Guidance on Permitted Disclosure of this Information

The purpose of this memorandum is to: (1) announce the upcoming public posting of information about the National Committee for Quality Assurance's (NCQA) approval of Special Needs Plans (SNPs) for Contract Year (CY) 2012; and (2) provide Medicare Advantage organizations (MAOs) offering SNPs with guidance on the permitted disclosure of information regarding their NCQA SNP approval to current and prospective beneficiaries.

On April 5, 2011, we released a memorandum describing the criteria that NCQA would use to effectuate the Affordable Care Act (ACA) requirement that, starting in CY 2012, all SNPs be approved by the NCQA based on standards developed by the Secretary. NCQA completed its evaluation of SNP models of care (MOCs) in late May 2011. SNPs received either a one-, two-, or three-year approval depending on their MOC scores.

### **Public Reporting of CY 2012 NCQA SNP Approval Information**

The CY 2012 NCQA SNP approval information will be available on our SNP webpage by September 1, 2011. The posted SNP approval information will include, for each approved SNP, the contract number, plan name, service area, SNP type, the length of time the approval has been granted, and the approval period (i.e., CY start and end dates). For informational purposes, we will also post the *Special Needs Plan (SNP) Approval Process Scoring Criteria for Contract Year (CY) 2012* document we released with our April 5, 2011 HPMS memorandum. This document, which includes the elements and factors that comprise the MOC evaluation process, provided guidance to MA organizations regarding the specific criteria NCQA used during the SNP approval evaluation process for CY 2012. We will notify MAOs when the NCQA SNP approval information is posted, including the specific link for its location.

### **Marketing Guidance on Permitted Disclosures of Plan Information Regarding NCQA SNP Approvals**

NCQA's approval of SNP MOCs is an important first step in ensuring that SNPs have in place a structure for care management processes and systems that will enable them to provide coordinated care for special needs individuals. We will be evaluating the implementation of MOCs separately

and more rigorously beginning in 2012. Because we believe NCQA approval of SNP MOCs is more an indicator of compliance with CMS requirements than an endorsement of a plan or its quality of service by either CMS or NCQA, we believe it is inappropriate for plan sponsors to use the NCQA approval as a marketing tool. Therefore, with the exception of the required disclosure below, plan sponsors will not be permitted to disclose any information about their NCQA SNP approval in any of their marketing materials, including their plan websites, or in press releases. Under no circumstances may a plan sponsor discuss its numeric SNP approval score.

Plan sponsors must include the following disclaimer in explanatory materials (i.e., enrollment materials, pre-enrollment marketing materials, and post-enrollment marketing materials, as defined in section 20 of the Medicare Marketing Guidelines):

*“[Insert Plan Name] has been approved by the National Committee for Quality Assurance (NCQA) to operate as a Special Needs Plan (SNP) until [insert end date of NCQA approval]. NCQA’s approval is based on a review of [insert Plan Name’s] Model of Care and is an indicator of compliance with CMS requirements. NCQA’s approval is not an endorsement by CMS and/or NCQA of [insert Plan Name] or the quality of service provided by [Insert Plan Name]. [Insert Plan Name] will still need to be approved each year by CMS in order to operate. If you have questions regarding our approval by the NCQA, please contact us at [insert customer service number].”*

CMS will not require plan sponsors to resubmit explanatory materials that have been approved if the disclaimer is added; however, the disclaimer may not be modified except when specified by CMS.

Plan sponsors may also include the above disclaimer language in press releases, but they will not be permitted to include any additional information about their NCQA approval, with the exception of a link to CMS’ public posting of NCQA approval information.

Please contact your Account Manager or Regional Office Marketing Reviewer if you have any questions.