



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

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**DATE:** June 19, 2012

**TO:** All Medicare Advantage Organizations Seeking to Offer a D-SNP in Contract Year 2013

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

**SUBJECT: Guidance for Submission of MIPPA-Compliant State Contract for Contract Year 2013**

This memorandum is a reminder that, effective for contract year (CY) 2013, the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA), as amended by the Affordable Care Act of 2010, requires *all* Medicare Advantage Organizations (MAOs) offering Dual Eligible Special Needs Plans (D-SNPs) to contract with their respective State Medicaid Agencies regarding the SNPs' coordination or coverage of its beneficiaries' Medicaid benefits. Thus, in order to operate in 2013, all D-SNPs must submit executed, MIPPA-compliant contracts to CMS via the Health Plan Management System (HPMS) no later than July 1, 2012, 8 p.m. EDT.

**Failure to Submit a State Medicaid Agency Contract by July 1, 2012**

In the event that an MAO offering a D-SNP fails to submit an executed, MIPPA-compliant contract by July 1, 2012, CMS will notify the MAO of this deficiency and will begin the process of non-renewing the D-SNP (i.e., discontinue the operation of the D-SNP) for the coming contract year. As outlined in our Final Call Letter for CY 2013 published on April 2, 2012, beneficiaries in these D-SNPs will be treated in the same way as other Medicare beneficiaries in non-renewing plans, and will be disenrolled to Original Medicare at the end of the year. These beneficiaries, by virtue of their dual eligible status, will have an ongoing special election period and thus can enroll in another MA plan (including a SNP plan) at any time, and will be auto-enrolled Medicare Prescription Drug Plan with a premium that is below the low-income benchmark effective January 1, 2013.

**MIPPA Element Requirements for State Medicaid Agency Contracts**

Please see CMS regulations at 42 CFR §422.107 and additional guidance at Chapter 16-B, Section 40.5.1 of the Medicare Managed Care Manual, available at: <http://www.cms.hhs.gov/Manuals/IOM> for guidance in meeting the eight MIPPA State Medicaid Agency Contract elements.

Please submit any questions or concerns regarding these MIPPA requirements to the SNP mailbox at: [SNP\\_Mail@cms.hhs.gov](mailto:SNP_Mail@cms.hhs.gov).