



LEGAL UPDATE

Reminder: Medicare Part D Disclosures due by March 1, 2022 for Calendar Year Plans

Group health plan sponsors are required to complete an online disclosure form with the Centers for Medicare & Medicaid Services (CMS) on an annual basis and at other select times, indicating whether the plan's prescription drug coverage is creditable or non-creditable.

This disclosure requirement applies when an employer-sponsored group health plan provides prescription drug coverage to individuals who are eligible for coverage under Medicare Part D.

The plan sponsor must complete the online disclosure **within 60 days after the beginning of the plan year**. For calendar year health plans, the deadline for the annual online disclosure is **March 1, 2022**.

Action Steps

To determine whether the CMS reporting requirement applies, employers should verify whether their group health plans cover any Medicare-eligible individuals (including active employees, disabled employees, COBRA participants, retirees, and their covered spouses and dependents) at the start of each plan year.

Employers that are required to report to CMS should work with their advisors to determine whether their prescription drug coverage is creditable or non-creditable. They should also visit CMS' creditable coverage [website](#), which includes links to the online [disclosure form](#) and related [instructions](#).

Important Dates

March 1, 2022

Deadline for sponsors of calendar year plans to complete an online disclosure form with CMS.

October 14, 2022

Deadline for group health plan sponsors to provide creditable coverage disclosures to Medicare-eligible individuals.

Each year, employers whose health plans provide prescription drug coverage to Medicare-eligible individuals must disclose to CMS whether that coverage is creditable or non-creditable.

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