

COMMONWEALTH OF VIRGINIA

DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

Group Administrator Memo #23-05

To: TLC Group Benefits Administrators
From: State and Local Health Benefits Programs
Date: September 28, 2023
Re: 2023-24 Annual Creditable Coverage Notice

The Medicare Modernization Act of 2003 requires that all employer health plans offering prescription drug coverage provide Medicare Part D-eligible plan participants an annual Notice of Creditable Coverage that discloses whether employer-provided coverage is creditable, regardless of whether the coverage is primary or secondary to Medicare.

Note the deadline for distribution is October 15, 2023.

The Notice of Creditable Coverage at the link below (“Important Notice from The Local Choice Health Benefits Program About Your Prescription Drug Coverage and Medicare”) is provided to help you fulfill this requirement to notify all Medicare Part D-eligible health plan participants of their rights and responsibilities related to Medicare Part D.

Please prepare the Model Notice at the link below on your letterhead and distribute as you would any Open Enrollment material. **Since you do not have any way to identify all Medicare Part D-eligible participants, it should be provided to all active employees and to retirees who are not enrolled in a Medicare-primary plan (Advantage 65 or Option I) who are participating in the health plan.** Be sure to note the **red font** information and replace with your information. You should then delete the color font before printing and distribution.

Important: Remember the date you send this information. You may be asked for the date by CMS when you electronically file your Annual Notice of Creditable Coverage.

<https://www.thelocalchoice.virginia.gov/communications/memos/2023/TLCSampleLetteronRxCreditableCoverageSept2023.docx>

Should you have any questions, please contact us at TLCPolicy@dhrm.virginia.gov