

December 14, 2023


# Potential Areas for Comment on CMS Proposed Rule on Medicare Advantage for CY 2025

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# Overview

- Background on the proposed rule
- Summary of selected provisions affecting dually eligible beneficiaries
- Next steps and Commissioner discussion



# Background on the Proposed Rule

- Centers for Medicare & Medicaid Services (CMS) published the proposed rule (CMS-4205-P) in the Federal Register on November 15, 2023
- Would make changes to Medicare Advantage (MA) and Medicare Part D for contract year 2025, including changes to dual eligible special needs plans (D-SNPs) designed to provide coverage to dually eligible beneficiaries
- Because of widespread availability and the number of dually eligible beneficiaries enrolled, D-SNPs are an area of focus for MACPAC



# **Summary of Selected Provisions Affecting Dually Eligible Beneficiaries**

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- Provisions to increase the percentage of dually eligible beneficiaries in managed care who receive their Medicare and Medicaid services from the same parent organization
  - Changes to Medicare special enrollment periods
  - Limiting enrollment in certain D-SNPs to people enrolled in an affiliated Medicaid managed care plan under the same parent company
  - Limiting the number of D-SNPs that MA organizations can offer in certain circumstances

# Summary of Selected Provisions Affecting Dually Eligible Beneficiaries, continued

- Would lower the threshold at which regular MA plans become D-SNP look-alike plans
- Would allow MA plan encounter data to be shared with state Medicaid programs for purposes of care coordination and quality improvement
- Would require plan notices in the languages most commonly spoken in the state for individuals with limited English proficiency



# **Next Steps and Commissioner Discussion**

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- Building on Commissioner interest and MACPAC's prior work, staff drafted a comment letter for Commissioner review
- Comments are due January 5, 2024



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