

UPDATE

WHAT YOU NEED TO KNOW: MEDICARE PART D AND PATIENTS' RIGHTS

An educational series from TriNet Third Party Network: Part 18

Any pharmacy that processes and fills Medicare Part D claims must comply with the Centers for Medicare and Medicaid Services' (CMS) Medicare Notice of Patient Rights—CMS-10147.

This regulation requires pharmacies to provide patients with information about how to contact their plan, and about their right to request and receive a coverage determination regarding their prescription drug benefits in the event that their prescription can't be filled under the Medicare Part D benefit.

Educate your staff about the importance of posting and distributing the Medicare Notice of Patient Rights in order to remain compliant with this CMS regulation.

Posting the notice

Pharmacies must post the notice where patients can see it. The posted notice must be as large as the document provided, but can be of larger dimensions and font size. Displaying the notice in the pharmacy waiting area or distributing it to a new patient does not meet the full requirement. You must physically hand the notice to the patient to meet the requirement.

Providing documentation

Pharmacies must work with Medicare Part D plans to provide enrollees with a written copy of the standardized pharmacy notice when an enrollee's prescription can't be filled under the Medicare Part D benefit at the point-of-sale.

Rejection scenarios

Pharmacies must demonstrate and provide documentation detailing the process of how each patient receives the Notice of Patient Rights during rejection scenarios including:

Rejection code 569

When a claim for a Medicare Part D drug is submitted to the Medicare Part D BIN/PCN and is both not covered by the

Medicare Part D plan and is outside the Medicare Part D transitional fill coverage period, you'll receive the NCPDP Rejection Code: 569; Message: Provide Beneficiary with CMS Notice of Appeal Rights.

Rejection code 018

When a claim for a Medicare Part D drug submitted to the plan's Medicare Part D BIN/PCN is not covered by the Medicare Part D plan and is outside the Medicare Part D transitional fill coverage period, but is paid under the plan's co-administered benefit or plan-sponsored negotiated price to the beneficiary, you'll receive the approval code: NCPDP Rejection Code: 018; Message: Provide Beneficiary with CMS Notice of Appeal Rights.

If a patient isn't physically present at the time of the rejection, you must notify the patient of the rejection and make the patient aware that the Medicare Notice of Rights is available from your pharmacy or through the mail.

Exceptions for notification

You're required to provide the notice to beneficiaries when their Medicare Part D claim is rejected except in these situations:

- Missing data elements
- Sanctioned prescriber
- Drug is not found or FDA-approved
- Over-the-counter (OTC) products
- Drug is not covered by Medicare Part D, but is covered by secondary insurance
- Drug is not listed on the participating CMS Manufacturer Labeler Code list
- Medicare Part D plan rejects the claim for the drug because of a "refill too soon/early refill"

Pharmacies are still required to provide the notice even if they work with the prescriber to substitute an alternate medication that is covered. The beneficiary should be given the notice along with information on any actions the pharmacy is taking.

Fulfilling notification requirements

As a provider, your pharmacy has options for fulfilling your requirements under the Medicare Notice of Patient Rights including:

- Printing the notice in at least 12-point font on a prescription label stock
- Emailing or faxing the notice if the enrollee has provided an email address or fax as their preferred contact method

Modifying the notice

The Medicare Notice of Patient Rights is a standardized notice, and the content cannot be altered. However, pharmacies may place their logo in the space above the optional fields for the enrollee's name and the drug and prescription number. The OMB control number must be displayed in the upper right corner of the notice. The fields for the enrollee's name and the drug and prescription number are optional and may be populated by the pharmacy.

The full Medicare Part D 2017 educational series is available online on the TriNet section of pbahealth.com