



Medicare Part D Annual Case Review: Assuring Individuals with HIV Continue Proper Coverage into 2008

The Medicare Part D open enrollment period begins November 15 and ends December 31. At this time, individuals may choose or switch Part D plans. Some individuals will want to change plans, while others will prefer to stay in their current plan. In most cases, if an individual does nothing, he or she will remain in the 2007 plan.

Many plans have raised their premiums for 2008, and individuals who receive Extra Help may no longer be able to use those plans without paying some sort of premium. In addition, remember that plans can change their drug formularies for 2008. At the very least, individuals or case managers must review the changes to the 2008 plan to ensure that the individual's drugs will still be covered. All plans were required to send a letter notifying enrollees of any plan changes. The letter will include a complete or partial formulary list. Individuals can review this letter and formulary for changes or utilize the plan finder at www.medicare.gov.

Those who are in or will enroll in the Illinois Cares Rx benefit must choose one of the plans that coordinates with the Illinois Cares Rx benefit. In 2008, there are additional plans that will coordinate with Illinois Cares Rx. The plans that coordinated in 2007 will continue to coordinate in 2008 so it is not necessary to change plans if the current one is working well.

Part D Review Checklist

In addition to reviewing plan coverage, individuals and/or case managers should review current Extra Help status. Below is a quick guide of what should be reviewed and action steps that should be taken accordingly. Case managers should review the situations of **all Medicare beneficiaries** on their caseload and check the following:

If the individual was a dual eligible in 2007.....

- The individual will remain a dual eligible (for Part D purposes) in 2008 if the individual was enrolled in Medicaid at anytime between July 2007 and the end of the year or thereafter. Therefore, if the individual has a spenddown, he or she must

meet that spenddown at least once during this time to be automatically continued as a dual eligible for 2008.

- If the individual is not enrolled in Medicaid and loses dual eligible status, check to see if he or she qualifies for or is enrolled in QMB, SLMB, or QI-1 (hereinafter “Medicare Savings Programs”), the programs that pay Medicare premiums and/or cost sharing. If the individual is enrolled in one of these programs in July through the end of the year or thereafter, he or she will be automatically eligible for Extra Help but the co-payment may change to \$2.25 or \$5.60. Individuals who lost Medicaid eligibility but remain in a Medicare Savings Program should have received a letter explaining that their co-payments are changing.
- If the individual is no longer enrolled in Medicaid, cannot meet spenddown, and does not qualify for a Medicare Savings Program, check to see if he or she qualifies for Extra Help by applying through the Social Security Administration.
- 2008 Dual Eligibles do not have to apply for the new Illinois Cares Rx benefit.
- In most cases, the AIDS Drug Assistance Program (ADAP) is not available to dual eligibles. On a case-by-case basis, individuals may seek assistance from ADAP if Medicare Part D will not cover an ADAP formulary drug.

If the individual was automatically qualified for Extra Help in 2007 because he or she was enrolled in QMB, SLMB, or QI-1 (Medicare Savings Programs).....

- The individual will remain automatically qualified for Extra Help in 2008 if the individual was enrolled in a Medicare Savings Program anytime between July 2007 and the end of the year or thereafter.
- If the individual is not enrolled in a Medicare Savings Program at the relevant time, check to see if he or she could enroll in Medicaid with a spenddown and meet the spenddown before the end of 2007. This would give the individual dual eligible status.
- If the individual is not enrolled in a Medicare Savings Program at the relevant time and Medicaid is not an option, check to see if he or she qualifies for Extra Help by applying through the Social Security Administration.
- If the individual is enrolled in a Medicare Savings Program at the relevant time and will automatically qualify for Extra Help, he or she does not have to apply for new Illinois Cares Rx benefit.
- If the individual does not qualify for **full** Extra Help for 2008, he or she should apply for the new Illinois Cares Rx benefit.

- In general, ADAP is not available to individuals eligible for full Extra Help. On a case-by-case basis, individuals may seek assistance from ADAP if Medicare Part D will not cover an ADAP formulary drug.

If the individual applied and was determined eligible for full Extra Help through the Social Security Administration.....

- Individuals who applied and were approved for full Extra Help in 2007 will continue that status in 2008 unless a Redetermination is completed and they are found ineligible. There is no need to re-apply every year.
- Advise your clients to respond to any letter from Social Security concerning continued Extra Help status. Such letters were titled “Review of your Eligibility for Extra Help” and were mailed in September. Failure to respond will result in termination of Extra Help status.
- If an individual continues to receive full Extra Help in 2008, he or she does not have to apply for the new Illinois Cares Rx HIV Benefit.
- If a Redetermination makes the individual ineligible for full Extra Help, he or she should apply for the new Illinois Cares Rx.
- In general, ADAP is not available to individuals with full Extra Help under Medicare Part D. On a case-by-case basis, individuals may seek assistance from ADAP if Medicare Part D will not cover an ADAP formulary drug.

If the individual applied and was determined eligible for partial Extra Help through the Social Security Administration.....

- Individuals who applied and were approved for *partial* Extra Help in 2007 will continue that status in 2008 unless a Redetermination is completed and they are found ineligible. There is no need to re-apply every year.
- Advise your clients to respond to any letter from Social Security concerning continued Extra Help status. Such letters were titled, “Review of your Eligibility for Extra Help” and the mailing began in September. Failure to respond will result in termination of Extra Help status.
- In 2007, Illinois Cares Rx HIV Benefit replaced ADAP assistance. Individuals saw decreases in costs to their non-ADAP drugs because Illinois Cares Rx HIV Benefit assistance helps them get catastrophic coverage under Part D. Individuals with partial Extra Help in 2007 should have enrolled in Illinois Cares Rx in order to receive minimal cost sharing on their drugs.

- Individuals who continue with partial Extra Help or lose their Extra Help for 2008 must renew their Illinois Cares Rx eligibility. An application for Illinois Cares Rx must be submitted every year.
- On a case-by-case basis, individuals may seek assistance from ADAP if Medicare Part D and Illinois Cares Rx will not cover an ADAP formulary drug.

If the individual is enrolled only in standard Medicare Part D and Illinois Cares Rx HIV Benefit.....

- Individuals with only standard Medicare Part D for 2007 and with incomes at or below about \$23,000 (and any amount of assets) must apply or reapply for the Illinois Cares Rx HIV benefit. The new Illinois Cares Rx HIV Benefit replaced ADAP assistance. By doing this, individuals can see decreases in costs to their non-ADAP drugs because Illinois Cares Rx HIV Benefit assistance helps them get to catastrophic coverage under Part D. On a case by case basis, individuals may seek assistance from ADAP if Medicare Part D and Illinois Cares Rx will not cover an ADAP formulary drug.
- Individuals who do not qualify for the new Illinois Cares Rx HIV Benefit may still seek assistance from ADAP. ADAP is available to any individual whose income is under 400% of the federal poverty level, or about \$41,000 (the amount changes around February of every year). If individuals are having trouble affording their HIV drugs, they should apply for ADAP. *If a client is paying more than \$5.60 per prescription, they should apply for ADAP.* No one should choose between paying for their medication and food, rent, transportation, or other assistance.

Additional Resources

Health and Disability Advocates (312) 223-9600 www. <http://www.hdadvocates.org>

AIDS Legal Council of Chicago (312) 427-8990, www.aidslegal.org

AIDS Foundation of Chicago: <http://www.aidschicago.org/advocacy/medicare.php>

Extra Help: <http://www.socialsecurity.gov/prescriptionhelp/>

Illinois Cares Rx: www.illinoiscaresrx.com

Illinois AIDS Drug Assistance Program: <http://www.idph.state.il.us/health/aids/adap.htm>