



MEMORANDUM

Date: June 14, 2006

To: Part D plan sponsors

From: Cynthia Tudor, Ph.D., Acting Director, Medicare Drug Benefit Group

Re: Refills during states of emergency

With the beginning of the hurricane season and Tropical Storm Alberto affecting Florida and surrounding areas, CMS wishes to reiterate its policy with respect to refills of Part D medications during states of emergency. CMS's policy specifically states the following:

Question: Will beneficiaries be able to obtain early refills on their Part D medications that were lost or misplaced during a declared emergency?

Answer: We expect that Part D plans would guarantee immediate refills of Part D medications to any beneficiary located in an "emergency area" defined as the area in which there has been a Stafford Act or National Emergencies Act declaration and a public health emergency declaration. In addition, we would expect all "refill too soon edits" to be removed beginning with any voluntary or mandatory state or federal evacuations and lasting for the period of the emergency declaration. Additionally, with the possibility of only a limited number of operational pharmacies, limitations on transportation and travel and the disruption of US Mail, we expect plans to allow the beneficiary to obtain the maximum plan extended day supply, if requested and available at time of refill.

If you have any comments or questions, please feel free to contact your CMS account manager.