



Medicare Parts C & D Oversight and Enforcement Group

DATE: September 10, 2024

TO: All Medicare Advantage Organizations

FROM: John A. Scott, Director
Medicare Parts C and D Oversight and Enforcement Group

SUBJECT: Proposed Collection for Medicare Part C Utilization Management Annual Data Submission and Audit Protocol Data Request – 60- Day Comment

The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for Medicare Advantage (MA) Organizations and other stakeholders to comment on the proposed collection entitled “Medicare Part C Utilization Management Annual Data Submission and Audit Protocol Data Request” (CMS-10913; OBM control number: 0938–New).

On April 12, 2023, CMS issued the “Medicare Program; Contract Year 2024 Policy and Technical Changes to the Medicare Advantage Program, Medicare Prescription Drug Benefit Program, Medicare Cost Plan Program, and Programs of All-Inclusive Care for the Elderly” final rule (88 FR 22120), which, in part, finalized updates to the MA utilization management program requirements in §§ 422.101 and 422.137 that clarified coverage criteria for basic benefits and the review of utilization management tools. Pursuant to CMS’s authorities under Section 1857(d) of the Social Security Act to oversee MA organizations’ compliance with program requirements and our authority at § 422.516(a) to collect MA program information, CMS has developed this proposed collection to evaluate MA organizations’ compliance with §§ 422.101 and 422.137 requirements. There are two distinct data collections included in this collection, the annual collection of organizations’ internal coverage criteria and the utilization management audit protocol data request.

The 60-day public comment notice for the proposed collection was published in the Federal Register (89 FR 73420) on September 10, 2024 and can be accessed at the following link: <https://www.federalregister.gov/documents/2024/09/10/2024-20400/agency-information-collection-activities-proposed-collection-comment-request>. The supporting statement and related forms for the proposed collection summarized in the notice are available at: <https://www.cms.gov/medicare/regulations-guidance/legislation/paperwork-reduction-act-1995/practicing> under CMS Form number CMS-10913. Comments must be received by November 12, 2024, electronically or by mail per the instructions in the notice. While we welcome and appreciate all comments on this proposed data collection tool, the collection’s Supporting Statement A Background section specifies aspects of the collection where we have particular interest in soliciting commenters’ input. Therefore, we encourage commenters to review Supporting Statement A as they prepare their feedback for CMS.