

Community Care, Inc.  
Medicare Part-D Enrollee Transition Plans H5212  
and H2034 HMO-SNP 2018

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**Title:** Medicare Part-D Enrollee Transition Plans H5212 PACE and H2034 HMO-SNP 2018

**Policy Identifier:** PA - Pharmacy

**Effective Date:** 20180101

**Scope:**  Organization Wide  
 Family Care       PACE       Partnership  
 Waukesha Day Center       HUD (Housing and Urban Development)

**Department:** Pharmacy

**Related Documents:**

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**Policy Statement:** Consistent with the requirements of the Medicare Part D regulations, Community Care Inc. will provide services to effectively transition new enrollees into the organizations programs and address transition needs of current enrollees.

**Purpose:** The purpose of this document is to establish safeguards for a smooth transition process for plan enrollees while maintaining maximum flexibility in managing their prescription drug benefit offerings. A transition process, consistent with 42 CFR 423.120(b)(3) is necessary to:

- transition new enrollees into prescription drug plans at the start of a contract year.
- transition newly eligible Medicare beneficiaries from other coverage.
- transition enrollees who switch from one plan to another after the start of a contract year.
- transition current enrollees affected by negative formulary changes across contract years.
- transition enrollees residing in long-term care (LTC) facilities.

# Community Care, Inc.

## Medicare Part-D Enrollee Transition Plans H5212 and H2034 HMO-SNP 2018

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This document defines the time periods associated with enrollee transition processes.

**Definitions:**

1. For purposes of this Transition Policy non-formulary drugs, means :
  - Part D drugs that are not on formulary, and
  - Drugs previously approved for coverage under an exception once the exception expires.
  - Part D drugs on the formulary but require prior authorization or step therapy, or that have an approved quantity limit lower than the beneficiary's current dose, under utilization management rules.

**Procedure:**

1. General Transition Process
  - a. When a new enrollee first presents at a participating pharmacy with a prescription for a drug that is not on the formulary, a one time, temporary supply of non-formulary Part D drugs will be provided in order to accommodate the immediate needs of an enrollee, as well as to allow the Pharmacy and/or the enrollee sufficient time to work out with the prescriber an appropriate switch to a therapeutically equivalent medication or the completion of an exception request to maintain coverage of an existing drug based on reasons of medical necessity.
  - b. Community Care will provide a temporary 30-day fill (unless the enrollee presents with a prescription written for less than 30 days) when an enrollee presents at a pharmacy to request a refill of a non-formulary Part D drug within the first 90 days of their coverage under the new Plan.
    - i. With the exception of the long-term care setting, such a temporary fill may be a one-time fill only.
    - ii. Refills of prescriptions dispensed for less than the prescribed amount due to quantity limits for safety purposes or drug utilization edits will be permitted up to the written amount, based on approved product labeling.

Community Care, Inc.  
Medicare Part-D Enrollee Transition Plans H5212  
and H2034 HMO-SNP 2018

---



- a. Transition periods will not be affected by the end/beginning of contract years.
- b. Community Care will extend this policy across contract years, should a member enroll with an effective date of either November or December 1<sup>st</sup>, and need access to a transition supply.
- c. Any cost sharing for medications supplied under the transition process will not exceed the statutory maximum co-payment amounts for low-income subsidy (LIS) eligible enrollees.
- d. For LIS eligible enrollees, the cost-sharing for a temporary supply of drugs will not exceed the statutory maximum copayment. For non-LIS eligible enrollees, Community Care will ensure that the cost-sharing for a temporary supply of medications provided under this process is the same for non-formulary drugs approved through a formulary exception in accordance with 42CFR 423.578(b) and the same cost sharing for formulary drugs subject to utilization management edits provided during the transition that would apply once the utilization management criteria are met.
- e. Until alternative transactional coding is implemented in a new version of the HIPAA standard, Community Care, and its pharmacy benefits management (PBM) subcontractor will be responsible for ensuring that appropriate systems are in place to accomplish goals (related to messaging) communicated through NCPDP for Part D claims adjudication. Otherwise, Community Care, and its PBM will utilize alternative approaches that achieve the goals intended in the messaging guidance.
- f. When a transition supply claim is paid via Community Care's PBM, pharmacies will be notified via an electronic message informing them that the fill was part of a transition supply. If the claim encounters a valid transitional reject, a message is

Community Care, Inc.  
Medicare Part-D Enrollee Transition Plans H5212  
and H2034 HMO-SNP 2018

---



returned to the pharmacy to indicate the reason for the rejection.

- g. Once the transition period has ended, Community Care's PBM will reject pharmacy claims for which medications are non-formulary or exceed plan limitations.
- h. The transition process is to be applied to a brand-new prescription for a non-formulary drug if it cannot make the distinction between a brand-new prescription for a non-formulary drug and an ongoing prescription for a non-formulary drug at the point-of-sale.
- i. Community Care will ensure that reasonable efforts are made to notify prescribers of affected enrollees who receive a transition notice.

2. Medical Review for Non-formulary medications

- a. In the event that a request for a non-formulary medication, or in the case that a new Part D plan enrollee requires a switch to a formulary alternative that has failed an affirmative medical necessity determination, one of Community Care's clinical pharmacists will confer with member's physician or nurse practitioner to ensure that the member receives the appropriate medication therapy. Ultimately, the medication covered for the member, will be an alternative or otherwise the originally prescribed medication.
- b. The intention is that a medical review be performed, so that the member has access to needed medications.

3. Transition Process in the Retail Setting

- a. In the retail setting, the one-time, temporary supply of non-formulary Part D drugs must be for at least 30 days of medication, unless the prescriber writes the prescription for less than 30 days.
- b. Community Care will ensure that the enrollee may receive

Community Care, Inc.  
Medicare Part-D Enrollee Transition Plans H5212  
and H2034 HMO-SNP 2018

---



refills for transition prescriptions dispensed for less than the written amount due to quantity limit safety edits or drug utilization edits based on manufacturer approved product labeling. .

- c. The total 30 day supply of medication may be filled at any time during the 90 days of members' enrollment into Community Care, beginning on the effective date of coverage.
- d. During transition, Community Care Inc may only apply the following utilization management edits during transition at point of sale:
  - i. edits to determine Part A or B versus Part D coverage.
  - ii. edits to prevent coverage of a non-Part D drug,
  - iii. edits to promote safe utilization of a Part D drug.
- e. Step therapy and prior authorization edits must be resolved at the point-of-sale.

#### 4. Current Enrollee Transitions

- a. When a member has an unplanned transition – typically involving a change in level of care - Community Care is required to make coverage determinations and redeterminations as expeditiously as the enrollee's health condition requires.
- b. Community Care will provide transition supplies while an exception is processed.
- c. When a prescription change results in the early depletion of a prescription, Community Care will not deny as "too soon" a request for refill.
- d. When a drug is no longer on Community Care's formulary (i.e. negative formulary change), all enrollees affected by this change will be provided with a transition process consistent with this policy by:
  - i. Providing a transition process at the start of the new

Community Care, Inc.  
Medicare Part-D Enrollee Transition Plans H5212  
and H2034 HMO-SNP 2018

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contract year, or

- ii. Effectuating a transition prior to the start of a new contract year.

5. Transition Process in the LTC Setting

- a. Additional review is required when transitioning residents of LTC facilities since they are more likely to be receiving multiple medications for which simultaneous changes could significantly impact the condition of the enrollee.
- b. Community Care will work with network LTC pharmacies and facilities prior to the effective date of enrollment to ensure a seamless transition of the facility's residents.
- c. The temporary supply of non-formulary Part D drugs for an enrollee in a LTC facility will be for up to 91 to 98 day fill, consistent with the applicable dispensing increment in the long-term care setting (unless the prescription is written for less) with refills provided during the first 90 days of enrollment, beginning on the enrollee's effective date of coverage.
- d. Current enrollees entering LTC settings from other care settings will be provided emergency supplies of non-formulary drugs. Early refill edits are not used to limit appropriate and necessary access to Part D benefits.
- e. Community Care will allow an enrollee to access a refill upon admission or discharge from a LTC facility if he or she does not have access to the remainder of a previously dispensed prescription. Early refill edits are not used to limit appropriate and necessary access to Part D benefits.
- f. Community Care will honor multiple fills of non-formulary Part D drugs as necessary during the entire length of the 90-day transition period for residents of LTC facilities.
- g. An emergency supply of non-formulary Part D drugs will be

Community Care, Inc.  
Medicare Part-D Enrollee Transition Plans H5212  
and H2034 HMO-SNP 2018

---



provided after the 90-day transition period while an exception or prior authorization is requested.

- i. LTC emergency supplies for 31 days (unless the prescription is written for less than 31 days).
- ii. An emergency fill will be a one-time fill only.

6. Continuation of the Transition Period

- a. Community Care will make arrangements to continue to provide necessary drugs to an enrollee via an extension of the transition period, on a case-by-case basis, to the extent that his or her exception request or appeal has not been processed by the end of the minimum transition period, and until such time as a transition has been made (either through a switch to an appropriate formulary drug or decision on an exception request).
- b. Community Care will provide affected enrollees with clear guidance regarding how to proceed after a temporary fill is provided, so that an appropriate and meaningful transition can be effectuated by the end of the transition period.
- c. Until the transition is actually made, either through a switch to an appropriate formulary drug, or decision of an exception request, Community Care will provide continuation of drug coverage, other than for drugs not covered under Medicare Part D.

7. Communication of the Transition Process

- a. Community Care must provide enrollees with appropriate notice regarding their transition process within a reasonable amount of time after providing a temporary supply of non-formulary Part D drugs. It is further understood that Community Care will ensure that reasonable efforts are made to notify prescribers of affected enrollees receiving a transition notice.

Community Care, Inc.  
Medicare Part-D Enrollee Transition Plans H5212  
and H2034 HMO-SNP 2018

---



- i. A written notice must be sent within 3 business days of adjudication of a temporary transition fill, via U.S. First Class mail, to each enrollee receiving a transition fill.
  1. For enrollees in the LTC setting, dispensed multiple supplies of a Part D drug in increments of 14 day supplies, or less, consistent with the requirements under 42 CFR 423.154(a)(1)(i), the written notice must be provided within 3 business days after adjudication of the first temporary fill.
- ii. The notice must include the following elements(as per CMS Model Transition Notice via the file-and-use process or submit a non-model Transition Notice to CMS for marketing review):
  1. An explanation of the temporary nature of the transition supply an enrollee has received;
  2. Instructions for working with the plan sponsor and the enrollee's prescriber satisfy utilization management requirements or to identify appropriate therapeutic alternatives that are on the plan's formulary;
  3. An explanation of the enrollee's right to request a formulary exception; and
  4. A description of the procedures for requesting a formulary exception.
- b. Prior authorization and exception request forms are available to enrollees and physician/prescribers:
  - i. Upon request by mail, fax, and email



Community Care, Inc.  
Medicare Part-D Enrollee Transition Plans H5212  
and H2034 HMO-SNP 2018



- ii. On Community Care's website
- c. This transition policy is available to enrollees through:
  - i. A Medicare Prescription Drug Plan Finder link to Community Care's website

Pre- and post-enrollment marketing materials as directed by CMS.

**Exceptions or Exemptions:**

**References:** Medicare Part D Manual, Chapter 6 – Part D Drugs and Formulary Requirements

**Replaces:**

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(YYYYMMDD):

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**Owner:** Director of Pharmacy

**Reviewer(s):**

**Related Regulations** 42 CFR 423.120(b)(3); CMS Transition Policy ID 219

**Regulatory Approver:** CMS

**Policy Approver:** Chief Medical Officer

**Other Approval**

**Required:**

**Approval Date** 2017XXXX

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**Search Keywords/Key Concepts:**