

# COVID-19 and Medicare Enrollment

Georgia Burke, Justice in Aging  
Natalie Kean, Justice in Aging

Tuesday, June 9, 2020

# Housekeeping

- All on mute. Use Questions function for substantive questions and for technical concerns.
- Problems getting on the webinar? Send an e-mail to [NCLER@acl.hhs.gov](mailto:NCLER@acl.hhs.gov).
- Written materials and a recording will be available at [NCLER.acl.gov](http://NCLER.acl.gov). See also the chat box for this web address.

# About NCLER

The National Center on Law and Elder Rights (NCLER) provides the legal services and aging and disability communities with the tools and resources they need to serve older adults with the greatest economic and social needs. A centralized, one-stop shop for legal assistance, NCLER provides Legal Training, Case Consultations, and Technical Assistance on Legal Systems Development. Justice in Aging administers the NCLER through a contract with the Administration for Community Living's Administration on Aging.

# About Justice in Aging

Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

Since 1972 we've focused our efforts primarily on populations that have traditionally lacked legal protection such as women, people of color, LGBT individuals, and people with limited English proficiency.

# Key Lessons

- Equitable Relief—provides an opportunity to enroll in Medicare Part A and/or Part B
  - Available to almost everyone not enrolled
  - Deadline is **June 17**
- Special Enrollment Period—provides an opportunity to change Medicare Advantage or PDP enrollment
  - Available to most people enrolled in MA-PD plans; not available to many in PDP plans
  - Deadline is **July 1**

# Equitable Relief

- Must have been eligible for an enrollment period on March 17 or later
- Must not have used that period to make an enrollment election
- Everyone has the General Enrollment Period (GEP) Jan 1- Mar 31.
- Enrollment is effective July 1

# Who is Most Likely to Benefit

- People in AL, AZ, CA, CO, IL, KS, KY, MO, NE, NJ, NM, SC, UT, VA (group payer states)
  - w/out free Medicare Part A
  - w/ income at or below 100% FPL (eligible for QMB)
  - who missed General Enrollment Period
- Higher income people who missed the GEP and want to enroll in Part B and/or premium Part A

# Example: Maria

- Maria, age 67, lives in New Jersey:
  - Does not have the work history for free Part A
  - Already enrolled in Part B; couldn't afford Part A
  - Income and assets meet QMB standards
- Calls local Social Security Field Office:
  - I want to use equitable relief
  - I want to apply for conditional Part A
- Maria gets a protected date.

# Example: Hector

- Hector, age 68, lives in Texas:
  - Has free Part A
  - Never enrolled in Part B (“Too expensive and I never go to the doctor.”)
  - Changes his mind (“Maybe I ought to play it safe.”)
- Calls SSA to get a protected filing date
- Downloads form [CMS-40B](#), fills it out and mails to SSA

# Questions?

# COVID Special Enrollment Period

- **What:** Allows a change in Part C and D plans
- **Who:** People who had an enrollment period on March 1 or after and didn't use it.
- **When:** Can change up to July 1

# SEP—Who is Most Likely to Benefit

- Anyone in a Medicare Advantage plan who did not make a change during the Jan. 1-Mar. 31 MA-OEP
  - Can change to another MA plan or to Original Medicare with a PDP
- Someone with another enrollment period in March or later that expired. IEP, or other SEP, e.g., for someone who has recently moved.

# Example: Wilson

- Wilson has been in Happy Health Medicare Advantage plan for several years.
  - He has become unhappy with Happy Health's prior authorization procedures. Also he's getting some new drugs and is paying higher co-pays than his friends are paying for the same drug.
  - A friend recommends another MA plan; his cousin says it is better to be in Original Medicare with a PDP.
- Wilson talks to a SHIP counselor by phone and sorts out his options.
  - When he decides, he contacts his new plan—either MA or PDP—to enroll, but hurries to meet the July 1 deadline.

# COVID SEP—Who Can't Use It

- Someone in a PDP with no other SEP in March or later.
- Example: Joe
  - Joe is in ABC drug plan. A couple of his prescriptions have changed and he thinks he could save money by switching to DEF plan. Joe doesn't have Extra Help and didn't qualify for any SEP in March or later. He must wait until the next annual Open Enrollment Period to switch plans.

# Questions?

# Visit Our Website: [ncler.acl.gov](http://ncler.acl.gov)

NATIONAL  
CENTER ON  
**LAW &  
ELDER  
RIGHTS**

Search for resources

**Read practice tips**

Sign up for the email list

**Request a case consultation**

Learn about upcoming trainings

[ncler.acl.gov](http://ncler.acl.gov)



# Case Consultations

Case consultation assistance is available for attorneys and professionals seeking more information to help older adults. Contact NCLER at [ConsultNCLER@acl.hhs.gov](mailto:ConsultNCLER@acl.hhs.gov).

# Poll 1

- Are any of your older adult clients currently experiencing a health care challenge related to COVID-19?
  - YES
  - NO

# Poll #2

- Please select any of the health care challenges your older adult clients are facing related to COVID-19:
  - Accessing providers and/or treatment
  - COVID-19 diagnosis and/or COVID-19 caregiving needs
  - Coverage challenges in Medicare and/or insurance
  - Long-term care
  - Other