

## **Immediate Action Required - Medicare Part D**

**October 10, 2005**

If you provide prescription drug benefits to active employees or retirees, you likely have to comply with certain requirements of Medicare Part D, and there are important dates fast approaching!

### **Notice - November 15, 2005**

Employers that offer prescription drug benefits to active employees, retirees and/or their dependents must provide a Notice of Creditable Coverage or a Notice of Non-Creditable Coverage to all Medicare-eligible individuals prior to **November 15, 2005**. We recommend that you provide this notice to all active employees and retirees, because you may not know which individuals (employees, retirees and/or their dependents) are eligible for Medicare. The notice will help individuals to determine whether or not to enroll in Medicare Part D's prescription drug benefit beginning on November 15, 2005.

For detailed information about this requirement, please click [here](#) to view a LawFlash on the subject.

### **Retiree Drug Subsidy - October 31, 2005**

Employers that offer prescription drug benefits to retirees and wish to apply for the retiree drug subsidy for 2006 must submit a completed application by **October 31, 2005**. To complete the application process, you must have your prescription drug benefits analyzed by an actuary to determine if they are actuarially equivalent to the Medicare Part D benefit, fill out the application, and provide specific retiree information to the Centers of Medicare and Medicaid Services. If you decide not to apply for the subsidy for 2006, you may apply next year to receive the subsidy in 2007.

Please let us know if we can provide assistance in determining whether your prescription drug coverage is creditable, preparing the Notice of Creditable or Non-Creditable Coverage, or applying for the prescription drug subsidy.

If you would like further information regarding the issues raised in this Morgan Lewis LawFlash, please contact your regular Morgan Lewis attorney, or any of the following:

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