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TO: New York State Health Benefits Administrators

FROM: Employee Benefits Division

SUBJECT: 2013 Empire Plan Medicare Rx Program for Medicare-Primary Enrollees and Dependents

DATE: September 17, 2012

Effective January 1, 2013, prescription drug coverage for Medicare-primary enrollees and dependents under The Empire Plan will include a Medicare Part D prescription drug program that has been expanded to provide a benefit level that is generally as good as, or better than, the benefits provided under The Empire Plan Flexible Formulary. The combination of these benefits is called **Empire Plan Medicare Rx**, which will continue to be administered by UnitedHealthcare in partnership with Medco. Enrollment in Empire Plan Medicare Rx will be automatic for Medicare-primary enrollees and dependents. This change only applies to prescription drug coverage under The Empire Plan. It does not impact other Empire Plan benefits (medical/surgical, hospital, mental health and substance abuse) or Medicare Part A or B coverage.

Beginning January 1, 2013, Medicare-primary enrollees and dependents will use a separate ID card to access prescription drug benefits. Because Medicare provides coverage on an individual level (there are no dependents under Medicare), each Medicare-primary enrollee and dependent will have his or her own Empire Plan Medicare Rx card and member ID number. This card can only be used to access prescription drug benefits. Medicare-primary enrollees and dependents will continue to use their NYSHIP Empire Plan benefit card to access all other benefits under The Empire Plan. Enrollees and dependents who are not Medicare-primary will continue to use their NYSHIP Empire Plan benefit card to access all benefits, including prescription drugs.

From late August through mid-September, the Employee Benefits Division will mail an introductory package (a sample is attached) to enrollees and dependents who are or will be Medicare-primary by January 1, 2013 (includes individuals turning 65 on or before February 1, 2013). The package includes:

- A personalized announcement letter, with a mandated Cancellation Form;
- An overview brochure titled *Introducing Empire Plan Medicare Rx (PDP)*;
- A trifold brochure titled *How to Use Your Empire Plan Medicare Rx (PDP) ID Cards*; and
- A preaddressed courtesy reply envelope.

Please note that active enrollees who will turn 65 in this time frame and/or their dependents who will turn 65 are receiving this mailing also. This is informational material only for this group of enrollees. However, if the currently active enrollee retires before January 1, 2013, or the enrollee or dependent is now or becomes Medicare-primary due to end-stage renal disease (refer to the NYSHIP *General Information Book* for information regarding Medicare primacy), this information **will** apply. Because Medicare is a federal program that does not recognize domestic partners or same-sex spouses, Medicare becomes primary for these dependents at age 65 even if the enrollee is covered as an active employee. As a result, the domestic partner or same-sex spouse of an active enrollee who is 65 will be automatically

enrolled in Empire Plan Medicare Rx. A follow-up letter (see attached) has been mailed to active enrollees to explain this information.

Please review these materials; they include information that you will find helpful. The **Cancellation Form** is included because Medicare rules require us to provide Medicare-primary enrollees and dependents with the choice of not enrolling in Empire Plan Medicare Rx. Medicare-primary enrollees and dependents will be automatically enrolled in Empire Plan Medicare Rx unless they return a completed Cancellation Form by November 1, 2012.

IMPORTANT: If an enrollee or dependent submits a Cancellation Form, he or she will be disenrolled from all Empire Plan health insurance coverage effective January 1, 2013. If an enrollee submits a Cancellation Form, all covered dependents will also be disenrolled from all Empire Plan health insurance coverage effective January 1, 2013. It is very important that enrollees and dependents fully understand the ramifications of declining enrollment in Empire Plan Medicare Rx.

Cancellation Forms must be returned to the address on the return envelope provided in the package (The New York State Department of Civil Service, P.O. Box 13293, Albany, NY 12212-3193) and should not be returned to the Employee Benefits Division or the employing agency. We will be reaching out to those enrollees or dependents who return the Cancellation Form to ensure that they understand they will have no Empire Plan coverage beginning on January 1, 2013.

We are currently conducting informational meetings throughout New York State and in states outside of New York where there are large populations of Medicare-primary retirees. As in previous years, postcards are being mailed to Medicare-primary retirees of New York State. Additionally, dependents and active employees who are or will turn 65 in 2013 will receive a postcard. The overview presentation concerning Empire Plan Medicare Rx that is being used at these meetings is also posted online at: <https://www.cs.ny.gov/empireplanmedicarerx/index.cfm>. The purpose of this presentation is to provide information about the change in prescription drug benefits.

We recommend that you review this information; it will provide additional information about Empire Plan Medicare Rx and assist you in responding to questions and concerns from enrollees, including employees planning to retire who will be Medicare-primary. As additional information is available, we will continue to communicate with you and post it online. Please call the EBD Help Line at 518-474-2780 if you have questions that aren't answered by these materials.

Attachments