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|----------------------|--|---------------------------|------------|
| <b>Department:</b>   | Medicare Operation   | <b>Original Approval:</b> | 10/27/2005 |
| <b>Policy #:</b>     | EM111  | <b>Last Approval:</b>     | 02/13/2020 |
| <b>Title:</b>        | Involuntary Disenrollments   |                           |            |
| <b>Approved By:</b>  | Charyl Norwood, Director of Enrollment and Appeals   |                           |            |
| <b>Dependencies:</b> | <i>Summary of Notice Requirements</i> policy (EM128)<br><i>Determine Eligibility for Medicare Enrollment Request</i> desk procedure (EM136)<br><i>Disenrolling a Medicare Member</i> desk procedure (EM141)<br><i>Update a Medicare Member's Address or Contact Information</i> desk procedure (EM142) |                           |            |

## Purpose

The purpose of this document is to describe the Community Health Plan of Washington (CHPW) policy for involuntary disenrollments.

## Policy

CHPW will follow the guidance in Centers for Medicare & Medicaid Services (CMS) Medicare Managed Care Manual (MMCM) [Chapter 2 § 50.2](#) regarding required involuntary disenrollment of members.

Aside from the exceptions in [§ 50.2](#) members must be disenrolled for the following reasons:

- A change in residence (includes incarceration) makes the individual ineligible to remain enrolled in the plan
- The member loses entitlement to either Medicare Part A or Part B
- The member of a special needs plan (SNP) that exclusively serves special needs individuals (§20.11) loses special needs status. These members will only be disenrolled after the appropriate grace period and notification.
- The member dies
- CHPW's contract is terminated, or the CHPW reduces its service area to exclude the member.
- Incarceration – A member who is incarcerated is considered to be residing outside of CHPW's service area, even if the correctional facility is located within the CHPW's service area. However, CHPW must disregard past periods of incarceration that have been served to completion if those periods have not already been addressed by CHPW or by CMS.

Part D-Income Related Monthly Adjustment Amount (Part D-IRMAA) – Members with Part D-IRMAA must pay additional premium directly to the government. After a grace period, they will be disenrolled and the plan will be notified.

CHPW will follow desk procedure *Determine Eligibility for Medicare Enrollment Request* (EM136) in accordance with [CMS MMCM Chapter 2 § 50.2](#) for determining members who meet the above requirements, and carrying out the process of disenrolling the member.

#### **OPTIONAL DISENROLLMENT FOR DISRUPTIVE BEHAVIOR**

CHPW will follow the guidance in CMS MMCM [Chapter 2 § 50.3.2](#) to determine if a member can be disenrolled due to his/her disruptive behavior to the extent that his/her continued enrollment in the plan substantially impairs CHPW's ability to arrange for or provide services to either that particular member or other members of the plan. However, CHPW may only disenroll a member for disruptive behavior after it has met the requirements of section 50.3.2 and with CMS approval. Before requesting CMS approval of disenrollment for disruptive behavior, CHPW will make a serious effort to resolve the problems presented by the member. CHPW will also inform the Individual of his or her right to use CHPW's grievance procedures.

CHPW will follow the steps established in [Chapter 2 § 50.3.2](#) of the Medicare Managed Care Manual to ensure that the proper documentation and notification is provided for the disenrollment. As established in desk procedure *Disenroll a Medicare Member* (EM141).

#### **OPTIONAL DISENROLLMENT FOR FAILURE TO PAY PREMIUMS**

CHPW will disenroll a member who fails to pay the basic and supplementary premiums, including any Part D late enrollment penalties. This will be done only after a grace period and proper notices as established by [Section 50.3.1](#). This process will not occur to any member who requested premiums be withheld from Social Security until the organization receives a reply that the member's request has been rejected. This process will be the same across all CHPW plans except the Medicare Advantage Special Needs Plan. CHPW will retain any current SNP members who may have failed to pay premiums on their previous plans.

#### **OPTIONAL DISENROLLMENT FOR FRAUD AND/OR ABUSE**

CHPW will disenroll a member who knowingly provides, on the election form, fraudulent information that materially affects the member's eligibility to enroll in the plan.

CHPW will also disenroll a member who intentionally permits others to use his/her enrollment card to obtain services or supplies from the plan or any authorized plan provider. Such a disenrollment is effective the first day of the calendar month after the month in which CHPW gives the member the written notice.

Each of these cases will be handled individually and discussed with the Compliance Officer who will make the final decision.

When such a disenrollment occurs, the Compliance Officer must immediately notify the CMS Regional Office (RO) so the Office of the Inspector General (OIG) may initiate an investigation of the alleged fraud and/or abuse. Any disenrollment processed under these provisions will always result in a change of election to Original Medicare.

The steps for disenrolling a member is outlined in desk procedure *Disenroll a Medicare Member* (EM141).

All notice requirements are summarized in the policy *Summary of Notice Requirements* (EM128).

## List of Appendices

### A. Policy Change/Update Handling

### Citations & References

|                           |  |
|---------------------------|--|
| <b>CFR</b>                |  |
| <b>WAC</b>                |  |
| <b>RCW</b>                |  |
| <b>Contract Citation</b>  | <input type="checkbox"/> WAH<br><input type="checkbox"/> IMC<br><input checked="" type="checkbox"/> MA |
| <b>Other Requirements</b> | MMCM Chapter 2 § 50.2  |
| <b>NCQA Elements</b>      |  |

### Revision History

| Revision Date | Revision Description  | Revision Made By |
|---------------|---|------------------|
| 10/27/2005    | Original  | Sherrill Apling  |
| 05/08/2008    | Medicare update, chapter 2  | Vaughn Tanner    |
| 06/30/2008    | Medicare update, chapter 2  | Jaceline Sinson  |
| 07/21/2008    | Approval  | Mike Evans       |
| 06/17/2009    | Medicare update, chapter 2  | Jaceline Sinson  |
| 07/06/2009    | Approval  | Mike Evans       |
| 07/30/2011    | Created new document removing the procedure, renumbered the document from EL223 to EM111                    | Charyl Norwood   |
| 08/18/2011    | Approval  | Mike Evans       |
| 09/04/2012    | Updated for MMCM 2013, added language for Part D-IRMAA and Failure to Pay Premium Disenrollment information | Clayton Thompson |
| 10/01/2012    | Approval  | Mike Evans       |
| 03/01/2013    | Updated with 2013 SNP Failure to Pay Premium Language   | Clayton Thompson |
| 03/21/2013    | Approval  | Mike Evans       |
| 04/15/2014    | Checked for accuracy for 2014   | Clayton Thompson |
| 03/27/2015    | Reviewed for Accuracy   | Clayton Thompson |
| 04/01/2015    | Approval  | Mike Evans       |
| 03/22/2016    | Reviewed for Accuracy   | Vaughn Tanner    |
| 03/22/2016    | Approval  | Charyl Norwood   |
| 02/24/2017    | Reviewed for Accuracy   | Vaughn Tanner    |
| 02/24/2017    | Approval  | Charyl Norwood   |
| 11/15/2017    | Add Policy Change Handling Process to   | Beverly Reed     |



|            |  |                |
|------------|--|----------------|
|            | Appendix. Contains reminder to forward updates to the Marketing Web Content Manager. |                |
| 11/15/2017 | Approval   | Charyl Norwood |
| 02/16/2018 | Moved to new template and reviewed   | Vaughn Tanner  |
| 02/20/2018 | Approval   | Charyl Norwood |
| 02/19/2019 | Reviewed   | Vaughn Tanner  |
| 02/19/2019 | Approval   | Charyl Norwood |
| 02/13/2020 | Reviewed   | Vaughn Tanner  |
| 02/13/2020 | Approval   | Charyl Norwood |

## **Appendix A: Policy Change/Update Handling**

### **All Changes/Updates to be forwarded to the Marketing Web Content Manager.**

In addition to being posted to the CHPW internal resource page, this policy is also posted on the internet at the company's public website. Each time a change or update is made to this policy, the new version must be forwarded to the Marketing Web Content Manager so that the previous version can be removed from the Policies and Procedures section of the [www.chpw.org](http://www.chpw.org) website. The Web Content Manager will be responsible for posting the updated version to the chpw.org website.