



June 27, 2024

William N. Parham, III  
Director, Division of Information Collections and Regulatory Impacts  
The Centers for Medicare & Medicaid Services ("CMS")  
Office of Strategic Operations and Regulatory Affairs  
Attention: Document Identifier: CMS-10882  
Room C4-26-05  
7500 Security Boulevard  
Baltimore, MD 21244-1850

***Submission via Reginfo.gov***

Re: The Medicare Advantage and Prescription Drug Programs: Part C and Part D Medicare Prescription Payment Plan Model Documents (CMS-10882) - IRA

Dear Mr. Parham:

Devoted Health, Inc. ("Devoted") appreciates the opportunity to offer comments on the Medicare Prescription Payment Plan ("M3P") Model Documents (the "Model Documents"). We submitted a comment letter on June 24, 2024 pertaining to the M3P Reporting Requirements included in the Medicare Part D Reporting Requirements and Supporting Regulations (CMS-10185) and we offer the following comments for purposes of clarity regarding the M3P Model Documents.

**M3P Model Documents Clarification Recommendation and Questions**

***Exhibit 6: Part D Sponsor Notice of Voluntary Removal from the Medicare Prescription Payment Plan (the "Voluntary Removal Notice Model")***

Currently, the Voluntary Removal Notice Model does not address the death of a member. For situations where CMS notifies the Part D sponsor of a member's death, provides the date of death and a transaction effectuating a disenrollment date for a member. We recommend that the Voluntary Removal Notice Model be published with variable language to account for this scenario. The Voluntary Removal Notice Model should provide thoughtful and appropriate wording for the decedent's estate in order to outline next steps and relevant information. We recommend including the following provisions in the Voluntary Removal Notice Model and would appreciate guidance from CMS regarding the same:

- Publish variable language to be used when the Voluntary Removal Notice Model will be sent to a deceased member's estate. The Voluntary Removal Notice Model should be addressed directly to the estate and use updated language and pronouns appropriate for delivery to the estate. We also recommend that the Voluntary Removal Notice Model

Devoted Comments: Medicare Prescription Payment Plan Model Documents

June 27, 2024

Page 2

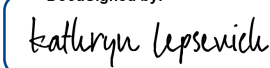
be updated to remove language that is no longer relevant or applicable for a decedent, such as:

- "You'll pay the pharmacy directly for your out-of-pocket drug costs."
  - "If you changed plans, and you'd like to join the Medicare Prescription Payment Plan offered through your new plan, contact your new plan."
  - "You'll continue to be enrolled in [plan name] or your new Medicare plan for your drug coverage."
  - "You may be eligible for programs that can help lower your costs."
- Publish variable language to provide instructions for how beneficiaries should proceed in correcting an erroneous date of death;
- Provide guidance on whether or not a Part D sponsor is required to seek payment from an estate for unsettled M3P program balances in the event the plan sponsor is notified of a member's death by CMS; and
- Provide guidance on any change(s) in payment processes or unsettled balances as they relate to a member's estate. For example:
  - Should an estate be allowed to pay the unsettled balances in monthly installments?
  - Should the estate be granted access to make payments through the deceased member's portal following member disenrollment due to notification of death?
  - Should the estate be allowed the option to use all applicable forms of payment for unsettled balances?

Thank you for the opportunity to submit comments and your consideration of our letter.

Sincerely,

DocuSigned by:

  
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Kathryn Lepseovich

Vice President, Membership Operations

Devoted Health, Inc.