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November 6, 2012

Marilyn Tavenner  
Acting Administrator  
Centers for Medicare & Medicaid Services  
200 Independence Avenue SW  
Washington, DC 20201

Dear Acting Administrator Tavenner:

On behalf of the Medicare Rights Center, I am writing to request that the Centers for Medicare & Medicaid Services (CMS) extend the Medicare Open Enrollment Period, currently slated to end on December 7, for those older adults and people with disabilities affected by Hurricane Sandy. We also ask that CMS work with the Social Security Administration (SSA) to ensure that those newly eligible for Medicare and who need to enroll in Medicare Parts A and B also be allowed an extended Initial Enrollment Period (IEP) and equitable relief if they miss their current IEP.

We understand from our conversations with staff of the Office of Public Engagement and the Medicare Enrollment & Appeals Group that some of these options are currently being evaluated. Given the urgency of this situation, we encourage you to move quickly to extend enrollment for Medicare beneficiaries still recovering from this devastating storm.

Beneficiaries and their families must have adequate time and presence of mind to fully weigh the scope of their health care needs and available finances to select optimal coverage through Medicare, a prescription drug plan, a Medicare Advantage plan or a Medigap policy. Already operating on limited resources, the state and community-based organizations dedicated to providing information, guidance and counseling to Medicare beneficiaries in making these critical choices were further strained by the storm and its aftermath.

In addition, we expect that some newly eligible beneficiaries will unintentionally miss the initial enrollment period for Medicare Part B on account of Hurricane Sandy. We ask that CMS and SSA provide equitable relief in such cases, as missing this enrollment period can have devastating financial consequences for beneficiaries.

One idea for extending open enrollment would be to provide an extension through a Special Enrollment Period until the last day of February 2013, much like the enrollment period made available to those with terminating Medicare Advantage plans. We understand that there may be legal, regulatory and other barriers to surmount to provide relief to those affected by Hurricane Sandy. We stand willing to work with you to achieve a result that would provide people with Medicare with the time and resources they need to secure optimal health care coverage in this context. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Baker". The signature is fluid and cursive, with the first name "Joe" being more prominent than the last name "Baker".

Joe Baker  
President

CC: Senator Charles Schumer  
Senator Kirsten Gillibrand  
Senator Robert Menendez  
Senator Frank Lautenberg  
Senator Joseph Lieberman  
Senator Richard Blumenthal