

ALERT

Small Employer Exception Requests and Medicare Enrollment Dates

General Rule

A small employer exception request may only be submitted with respect to an individual enrolled in Medicare on the basis of age on the date that a complete and fully documented request is received by COBC. Requests may not be made prior to an individual's enrollment in Medicare.

To accommodate the desire that authorized submitters (a multi-employer plan/authorized insurer) might have for a small employer exception effective date the same as the effective date of the individual's enrollment in Medicare, COBC shall use the first day of the month during which all the required information was received as the small employer exception date **if the individual is listed in CMS' records as an enrolled Medicare beneficiary on the first day of that month.** Medicare enrollment is effective on the first day of a month.

Limited Exception

In those situations where an authorized submitter had, prior to February 1, 2009, submitted a small employer exception request (with all required information and documentation) with respect to an individual not enrolled in Medicare at the time the request was received, and COBC had not established a small employer exception, COBC shall establish a small employer exception with respect to said individual, effective on the effective date of Medicare enrollment **if said individual is listed in CMS' records as an enrolled beneficiary on February 1, 2009.**

In all other instances, an authorized submitter must submit a small employer exception request in the month of the individual's enrollment in Medicare or later. In these situations, the general rule explained above shall apply.