

70.1 – General Rule

(Rev. 11, Issued: 02-19-10, Effective/Implementation Date: 03-01-10)

In accordance with 42 CFR 423.564, Part D sponsors must provide meaningful procedures for timely hearing and resolving enrollee grievances. Chapter 18 of *this* manual (see Appendix A for Web site) defines a grievance as any complaint or dispute other than one that involves a coverage determination or a low-income subsidy or late enrollment penalty determination, expressing dissatisfaction with any aspect of the operations, activities, or behavior of a Part D sponsor, regardless of whether remedial action is requested. A grievance may also include a complaint that a Part D plan sponsor refused to expedite a coverage determination or redetermination. Grievances may include complaints regarding the timeliness, appropriateness, access to, and/or setting of a provided item. CMS recommends that plans record and monitor grievances separately from Complaints Tracking Module (CTM) complaints *as part of their Part D reporting requirements*. Upon receiving a complaint, a Part D sponsor must promptly review the submitted case and notify the enrollee of its decision as expeditiously as the case requires based upon the enrollee's health status. To facilitate and streamline this process CMS has developed the CTM system for tracking and processing complaints received from beneficiaries and providers specifically related to the Part D Medicare Prescription Drug Program. CTM may be populated by a number of sources, including CMS contractor at 1800Medicare, CMS staff or Part D sponsors. Given the time sensitive nature of many of the submitted complaints, Part D sponsors should continuously access, view, respond and resolve the Part D complaints(s) submitted to their organization in CTM.

Additionally, CMS recognizes that Part D sponsors are the primary resource Medicare beneficiaries rely upon for the prompt resolution of their inquiries. CMS expects each Part D

sponsor to educate their members to ensure that beneficiaries call the sponsor's call center directly with any Part D related complaints.