

## 130.2 - The Basic Rule

*(Rev. 77, Issued: 10-28-05, Effective Date: 10-28-05)*

The Medicare cost plan must:

- Maintain written policies and procedures that meet the requirements for advance directives that are set forth in this section; and
- Provide to its adult enrollees, at the time of initial enrollment, written information on their rights under the law of the state in which the *Medicare cost plan* furnishes services to make decisions concerning their medical care, including the right to accept or refuse medical or surgical treatment, and the right to formulate advance directives.

The *Medicare cost plan* is permitted to contract with other entities to furnish information concerning advance directive requirements. However, the organization remains legally responsible for ensuring that the requirements of this section are met. The details of what written information must be given to the enrollee as well as other obligations of the *Medicare cost plan* are outlined below.