



REGULATORY ORDER NO. R 23-01

TO: ALL INSURERS WRITING MEDICARE SUPPLEMENT INSURANCE IN THE STATE OF ALASKA AND OTHER INTERESTED PARTIES

RE: THE FEDERAL PUBLIC HEALTH EMERGENCY AND MEDICARE SUPPLEMENT GUARANTEED ISSUE ELIGIBILITY

During the Federal Public Health Emergency, Alaska consumers were permitted to remain enrolled in Medicaid without a redetermination of income or other eligibility requirements. Consequently, some Medicare eligible consumers may have missed the guaranteed issue period for obtaining a Medicare Supplement plan in Alaska.

Under 3 AAC 28.457 and 3 AAC 28.462 Alaskans age 65 or older, and who are enrolled in Medicare Part B receive a Medicare Supplement “open enrollment” and “guaranteed issue” period of six months wherein insurers must offer Medicare Supplement policies to applicants. During this period insurers also cannot discriminate in the pricing of Medicare Supplement policies due to the health status of the applicant.

Alaska’s Medicaid program required Medicaid recipients eligible for Medicare to enroll in Medicare Part B and in some cases auto enrolled the consumer. Some consumers may have been dual enrolled for multiple years.

To ensure low- and moderate-income Alaska seniors have access to Medicare Supplement plans, the Director directs all health insurers writing Medicare Supplement business in Alaska to offer a guaranteed issue Medicare Supplement plan to all applicants who have exhausted their open enrollment period as a result of their continued enrollment in Medicaid and who can show verification of an Alaska Medicaid eligibility change. Insurers should treat applicants as “eligible persons” pursuant to 3 AAC 28.462 and permit applicants to enroll in a Medicare Supplement plan with a guaranteed issue period of 63 days starting on the date of a Medicaid eligibility change.

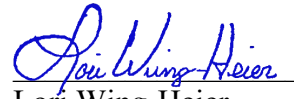
Because consumers were enrolled in both Medicaid and Medicare, this approach will most closely match the intent of Medicare Supplement regulations related to other insurance coverage under 3 AAC 28.462. This approach also aligns with Medicare’s decision to not apply a Medicare Part B penalty to late Medicare enrollees.

The Director encourages applicants to contact Alaska’s State Health Insurance Program (“SHIP”) with Medicare and Medicare Supplement questions. SHIP assistance is available at: [Medicare.Alaska.gov](https://www.Medicare.Alaska.gov) or by calling 800-478-6065 or in Anchorage 907-269-3680.

Questions regarding this bulletin should be directed to Sarah Bailey via email sarah.bailey@alaska.gov.

This bulletin expires August 3, 2024.

Dated March 16, 2023



Lori Wing-Heier
Director