

42 C.F.R. § 417.597

Withdrawal from a benefit stabilization fund.

(a) *Notification to CMS.* An HMO's or CMP's request to make a withdrawal from its benefit stabilization fund for use during a contract period must be made when the HMO or CMP notifies CMS of its ACR and its ACPRP for that contract period. In making its request, the HMO or CMP must—

- (1) Indicate how it intends to use the withdrawn amounts;
- (2) Justify the need for the withdrawal in terms of stabilizing the additional benefits it provides to Medicare enrollees;
- (3) Document the HMO's or CMP's experience with fluctuations of revenue requirements relative to the additional benefits it provides to Medicare enrollees; and

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