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## 42 C.F.R. § 422.66

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### Coordination of enrollment and disenrollment through MA organizations.

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- (a) *Enrollment.* An individual who wishes to elect an MA plan offered by an MA organization may make or change his or her election during the election periods specified in § 422.62 by filing the appropriate election form with the organization or through other mechanisms as determined by CMS.
- (b) *Disenrollment—(1) Basic rule.* An individual who wishes to disenroll from an MA plan may change his or her election during the election periods specified in § 422.62 in either of the following manners:
- (i) Elect a different MA plan by filing the appropriate election with the MA organization.
  - (ii) Submit a request for disenrollment to the MA organization in the form and manner prescribed by CMS or file the appropriate disenrollment request through other mechanisms as determined by CMS.
- (2) *When a disenrollment request is considered to have been made.* A disenrollment request is considered to have been made on the date the disenrollment request is received by the MA organization.
- (3) *Responsibilities of the MA organization.* The MA organization must—
- (i) Submit a disenrollment notice to CMS within timeframes specified by CMS;
  - (ii) Provide enrollee with notice of disenrollment in a format specified by CMS; and
  - (iii) In the case of a plan where lock-in applies, include in the notice a statement explaining that he or she—
    - (A) Remains enrolled until the effective date of disenrollment; and
    - (B) Until that date, neither the MA organization nor CMS pays for services not provided or arranged for by the MA plan in which the enrollee is enrolled; and
  - (iv) File and retain disenrollment requests for the period specified in CMS instructions.
  - (v) In the case of an incomplete disenrollment request—
    - (A) Document its efforts to obtain information to complete the disenrollment request;
    - (B) Notify the individual (in writing or verbally) within 10 calendar days of receipt of the disenrollment request.
    - (C) The organization must deny the request if any additional information needed to make the disenrollment request “complete” is not received within the following timeframes:
      - (1) For disenrollment requests received during the AEP, by December 7, or within 21 calendar days of the request for additional information, whichever is later.
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