

Your Right To Buy A Medicare Supplement Policy In Certain Situations

You have the right to buy the Medicare Supplement plan of your choice during your medicare supplement open enrollment period. Your medicare supplement open enrollment period lasts for six months. It starts on the first day of the month in which you are **both** age 65 or older **and** enrolled in Medicare Part B. Once you enroll in Medicare Part B, the six months medicare supplement open enrollment period starts and cannot be changed. During this open enrollment period, an insurance company cannot deny you insurance coverage, place conditions on a policy (like making you wait for coverage to start), or change the price of a policy because of past or present health problems.

If you apply for a medicare supplement plan after your medicare supplement open enrollment period has ended, the medicare supplement insurance company is allowed to use medical underwriting to decide whether to accept your application, and how much to charge you for the policy.

There are a few situations involving health care coverage changes where you may have the right to get a medicare supplement policy after your medicare supplement open enrollment period has ended. In these situations, the insurance company cannot deny you insurance coverage, place conditions on the policy (like making you wait for coverage to start), or change the price of a policy because of past or present health problems.

If you lose certain types of health care coverage, you have the right to buy a medicare supplement policy outside of your medicare supplement open enrollment period. These rights are called "Medigap Protections." They are also called "guaranteed issue" rights because the law says that insurance companies must issue you a policy.

Medigap protections are important because without them, if you do not buy a medicare supplement policy during your medicare supplement open enrollment period, an insurance company can refuse to sell you a policy, or you may be charged more for the policy. In addition, if you drop your medicare supplement policy, you may not be able to get it back except in very limited circumstances.

You should not wait until your health coverage has almost ended before you apply for a medicare supplement policy. You can apply for a medicare supplement policy early (while you are still in your health plan) and choose to start your medicare supplement coverage the day after your health plan coverage ends. This will prevent gaps in your health coverage.

Summary of Medigap Protections

There are a few situations involving health coverage changes where you may have a guaranteed issue right to buy a medicare supplement policy.

For example:

1. Your Medicare managed care plan, Private Fee-for-Service plan, PACE provider, or Medicare managed care demonstration project coverage ends because the plan is leaving the Medicare program or stops giving care in your area, or
2. Your health coverage ends because of reasons other than a plan leaving the Medicare program, or
3. You dropped your medicare supplement policy to join a Medicare managed care plan, Private Fee-for-Service plan, or PACE program and then leave the plan within one year after joining. Or you buy a Medicare SELECT policy for the first time and drop the policy within one year after buying, or
4. You joined a Medicare health plan (like a Medicare managed care plan with a Medicare + Choice contract, or Private Fee-for-Service plan) or PACE program when you first became eligible for Medicare at age 65 and you leave the plan within one year of joining, or
5. A change in your circumstances gives you the right to leave (disenroll from) your plan.

In order to get these medicare supplement protections, you must meet certain conditions. All rights to buy medicare supplement policies under the following situations include Medicare SELECT policies since they are a type of medicare supplement policy. For more detailed on your rights and protections, you may want to read Medigap Policies and Procedures.

The medicare supplement protections in this section are from federal law. Many states provide more medicare supplement protections than federal law. Call your **State Health Insurance Assistance Program or State Insurance Department** for more information.

If you live in **Massachusetts, Minnesota, or Wisconsin**, you have the right to buy a medicare supplement policy that is similar to the standardized policies you have a right to buy in other states.

Note: There may be times when more than one of these situations applies to you. When this happens, you can choose the protection that gives you the best choice of policies.

For example:

If both situations #1 and #4 apply to you, you may have the right to buy any medicare supplement policy.

- Situation #1 limits your choices to only medicare supplement plans A, B, C, or F that are sold in your state.

- Situation #4 offers you the best choice by allowing you to buy **any** medicare supplement policy that is sold in your state.