

NRLN PROPOSALS ADOPTED – CMS TAKES ACTION to ENFORCE GIR and SEP

Since August 2022 the NRLN has been advocating with the Centers for Medicare and Medicaid (CMS) and members of Congress that the federal statutes for Guaranteed Issue Rights (GIR) and Special Enrollment Period (SEP) must be enforced when a Medicare Advantage (MA), Medicare supplement (Medigap) and/or Part D prescription drug plan will not be renewed or reduced for the next year.

On September 22, 2025, CMS issued a letter to insurance companies, corporations and unions who provide these healthcare plans that they must provide notice to each of its affected enrollees at least 90 days before the end of the current contract period. As NRLN proposed, along with the notification letter, CMS provided sample letters to be used to inform enrollees to **“Keep this letter. It’s proof that you have a special right to buy a [type of policy] or join a Medicare plan.”**

If your plan will not be renewed for 2026 the letter you receive by October 2 will state, “You have a special right to buy a [type of policy] because your plan is ending. This letter is your proof that you have a special right to buy a [type of policy]. You’ll have this special right for 63 days after your coverage with [Plan Name] ends. See the enclosed Medigap fact sheet for more information on your [type of plan] rights...”

Keep in mind there are sources for information to assist you with your Medicare decisions:

- State Health Insurance Assistance Program (SHIP) counselors are available to address your questions, discuss your needs and give you information about your options. All counseling is free. Contact the SHIP national headquarters <https://www.shiphelp.org/> or call 877-839-2675 to find a counselor in your area.
- Call Medicare at 1-800-633-4227 and tell them you got a letter saying your plan isn’t going to be offered next year and you want help choosing a new plan. This toll free help line is available 24 hours a day, 7 days a week. TTY users should call 1-877-486-2048.
- Visit www.medicare.gov. Medicare’s official website has tools that can help you compare plans and get answers to your questions. Click the “Find Plans Now” tab to compare the plans in your area.

Last March, Alyson Parker, NRLN Executive Director, Jay Kuhnle VP Legislative Affairs, and I met with CMS officials at its headquarters in Baltimore, MD and presented our GIR and SEP position paper on the urgent need to enforce Sec 1882 [42 U.S.C. 1395ss]. In August a new case summary was sent to the acting Director for CMS Operations, noting new plan terminations would affect 1.6 million more retirees on Jan 1, 2026.

Our position paper included our study that showed Avaya, AT&T, IBM and TVA retirees were not properly notified of their GIR and SEP rights when their company-sponsored healthcare plans were not renewed. In light of the enforcement action that CMS has now taken, I will be contacting CMS to advocate that these retirees should be granted a “do over” for their GIR and SEP.

CMS’s enforcement action is a great victory for seniors who will not have their Medicare plans renewed for 2026. UnitedHealthcare plans to drop MA plans that currently serve over 600,000 users. Humana is projecting a loss of 500,000 MA members. CVS-Aetna has stated that it will end nearly 90 MA plans across 34 states in 2026. UCare, one of the largest providers of MA plans in Minnesota, will eliminate MA plans impacting 158,000 members. Other plan terminations may be underway.

Please look at your mail and email for any notice you may receive from your healthcare insurance company or from your former employer. Watch for more NRLN Medicare Enrollment 2025 information.

Bill Kadereit, President
National Retiree Legislative Network