

United States Senate

WASHINGTON, DC 20510

August 3, 2022

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare & Medicaid Services
U.S. Department of Health & Human Services
200 Independence Avenue SW
Washington, DC 20201

Dear Administrator Brooks-LaSure:

In 2020, Congress took critical steps to help people new to Medicare enroll in the program and to ensure the continuity of their coverage by passing provisions from the bipartisan Beneficiary Enrollment Notification and Eligibility Simplification (BENES) Act. We introduced the BENES Act to ensure Americans could access all the Medicare benefits they are eligible for, and we applaud the Centers for Medicare & Medicaid Services' (CMS) proposed rule to update enrollment timelines and create new special enrollment windows. These policies will reduce gaps in coverage and help seniors and people with disabilities avoid lifetime financial penalties. We urge CMS to finalize this rule as soon as possible.


Almost 800,000 people enrolled in Medicare Part B pay a late enrollment penalty.¹ Many of these penalties are because new and potential Medicare beneficiaries are confused by the Medicare enrollment process. The federal government has a responsibility to ensure that retirees and people with disabilities becoming Medicare-eligible can easily access their earned benefits and have the information necessary to enroll in coverage. Towards this end, the agency's proposed rule takes several steps in the right direction.

These actions by CMS are long overdue steps needed to limit coverage gaps for seniors and people with disabilities. We look forward to partnering with CMS as it implements these policies, while also urging that the agency do more to educate people new to Medicare about when and how to enroll. In April 2022, we introduced S. 3675, the Beneficiary Enrollment Notification and Eligibility Simplification (BENES) 2.0 Act, which would provide advance notice and information to individuals approaching Medicare eligibility as part of their Social Security statements. We will continue to urge our colleagues in Congress to pass this important legislation to ensure that older adults and people with disabilities can access the health care they need and avoid costly late enrollment penalties. We welcome CMS' input on this proposal and other measures to help Americans maximize their Medicare benefits.

¹ Davis, P. (2022, May 19). *Medicare part B: Enrollment and premiums*. Congressional Research Service. Retrieved August 3, 2022, from <https://crsreports.congress.gov/product/pdf/R/R40082>

Once again, we applaud CMS' efforts to make it easier for Americans to access Medicare and we look forward to working with the agency to further achieve that goal.

Sincerely,



Robert P. Casey, Jr.
United States Senator



Todd Young
United States Senator