YourPlanChoice SSBCI Carrier Requirements for PY2027

The Final Rule for the CMS Contract Year 2027 imposes tight restrictions on how Medicare Advantage plans determine eligibility and administer popular perks like grocery, utility, and cash allowances.

This easy-to-reference guide consolidates key information, including:

- What SSBCI stands for
- What material types it is applicable for
- When it is required
- Examples of chronic conditions
- Carrier's version of SSBCI disclaimer

SSBCI stands for Special Supplemental Benefits for the Chronically ill - 42 CFR 422.102(f)

Required on marketing materials only. Materials listing SSBCI benefits are subject to Carrier review!

"Marketing" is any material intended to influence a beneficiary's enrollment or retention decision and includes mention of benefits, premiums, costsharing, Star ratings, rewards, or incentives. ANY mention of these qualifies the piece as Marketing and requires carrier pre-review and CMS filing prior to use.

When it is required - Must be used whenever PY2027 SSBCI benefits are mentioned. SSBCI benefits include but are not limited to - **Flexible allowances for living expenses like groceries, rent, utilities or transportation.**

1. For television, online, social media, radio or other voice-based ads, either read the disclaimer at same pace, or display the disclaimer in same font size as the advertised phone number or other contact information.

2. For Outdoor ads, display the disclaimer in same font size as phone number or other contact information.

OTC, dental, vision, etc. are <u>not</u> automatically SSBCI. A benefit becomes an SSBCI benefit when it is being provided under the plan's special supplemental benefit program for chronically ill members and has the applicable eligibility requirements.

List of qualifying chronic conditions include but are not limited to –

- Diabetes
- Chronic Heart Failure (CHF)
- Chronic lung disorders
- Cardiovascular disorders
- Hyperlipidemia
- Hypertension

<u>Carrier Specific SSBCI Disclaimers</u>

Generic Disclaimer for use with Humana/UnitedHealthcare®
All other carriers that are not listed below with individual disclaimer requirements:

*[The benefits mentioned] [This spending allowance] [Chronic Condition Care Assistance] [Music Therapy] [Humana cell phone benefit] is a special supplemental benefit program for members with specific chronic conditions who require intensive care coordination and are at a high risk of hospitalization or other adverse health outcomes. Qualifying conditions may

include diabetes mellitus, cardiovascular disorders, chronic and disabling mental health conditions, chronic lung disorders, or chronic heart failure, among others. [Some plans require at least two chronic conditions.] See the plan's Evidence of Coverage/Member Handbook for details. [If you use this program for rent or utilities, Housing and Urban Development (HUD) requires it to be reported as income. Contact your local HUD office with questions.]

- Materials with SSBCI benefits should be indicated with an asterisk* to identify the benefit that this disclaimer may apply to.
- Marketing for SSBCI should convey that while a qualifying condition(s) is necessary, other eligibility criteria also applies.
- HUD disclaimer variable must be present when marketing allowances that would pay for utilities and/or rent.

CMS regulations do not allow for this disclaimer to be one-click away, even for small-sized social media ads that click to connect to a website landing page that includes the disclaimer. For this reason, small-sized ads with space constraints may not lend themselves well to the advertising of SSBCI benefits.

UnitedHealthcare Required Additional Language with the above generic SSBCI disclaimer:

[For UnitedHealthcare **D-SNP plans**, the [healthy food] [and] [utilities] benefit is a special supplemental benefit only available to chronically ill enrollees with a qualifying condition, such as diabetes, cardiovascular disorders, chronic heart failure, chronic high blood pressure and/or chronic high cholesterol, and who also meet all applicable plan coverage criteria. There may be other qualified chronic conditions not listed.]

[For UnitedHealthcare **C-SNP plans**, the healthy food benefit is a special supplemental benefit only available to chronically ill enrollees with a qualifying condition, such as diabetes, chronic heart failure and/or cardiovascular disorders, and who also meet all applicable plan coverage criteria.]

Devoted Required Additional language with the above SSBCI Generic disclaimer:

1. **If the piece features Devoted Health or the Food & Home Card:** Please add Devoted's exact, approved CMS disclaimer below:

"The Food & Home Card is a special supplemental benefit offered on certain plans and available only to chronically ill members with conditions like diabetes, chronic heart failure, cardiac arrhythmias, coronary artery disease, or peripheral vascular disease; qualifying conditions vary by plan. All applicable plan coverage criteria must be met and other conditions are eligible. Not all members qualify."

2. **If this is a generic multi-plan piece (no specific carriers or card names mentioned):** You can use the generic disclaimer above replacing the bracketed placeholder with a simple benefit name and also include the mandatory CMS ending phrase below:

"[This spending allowance] is a special supplemental benefit program for members with specific chronic conditions. Qualifying conditions may include diabetes mellitus, cardiovascular disorders, chronic lung disorders, or chronic heart failure, among others; qualifying conditions vary by plan. All applicable plan coverage criteria must be met. Not all members qualify."

Aetna Required Additional Language with the above generic SSBCI disclaimer:
The benefit(s) mentioned are part of special supplemental benefits for the chronically ill (SSBCI). SSBCI conditions include but are not limited to: hypertension, hyperlipidemia, diabetes, cardiovascular disorders, and chronic lung disorders. Eligibility is determined by whether you have a chronic condition associated with the benefit(s) and you meet all other criteria. Even if you have a listed chronic condition, you may not necessarily receive the benefit because other eligibility and coverage criteria may apply. Standards and conditions vary for each benefit. Contact us to confirm the specific SSBCI condition requirements for the benefit(s) for this plan and determine your eligibility.

Wellcare Required Additional Language with the above generic SSBCI disclaimer:
Benefits mentioned are a part of Special Supplemental Benefits for the Chronically Ill. Not all members will qualify. In addition to being high-risk, you must have one or more of the following chronic conditions: cancer, cardiovascular disorders, chronic and disabling mental health conditions, chronic lung disorders, diabetes. There are other eligible conditions not listed. Eligibility for this benefit cannot be guaranteed based solely on your condition. All applicable eligibility requirements must be met before the benefit is provided. For details, please contact us or see the plan’s Evidence of Coverage/Member Handbook.

All Other Carriers – use the generic SSBCI disclaimer.

Please be sure to distribute this compliance bulletin to all agents in your hierarchy.

You can find this bulletin and other helpful reminders and policies on [Compliance - YourFMO] under Bulletins and Other Guidance.

IMPORTANT NOTICE: This compliance bulletin is intended strictly for licensed agent use only. Do not distribute to clients, prospects, or any unauthorized individuals.