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| **Important Reminder:****Proper Use of ACC SEP (Accessible Format Delay)** **CMS Reference: 42 CFR 422.62(b)(17) | Effective: January 1, 2021**As outlined in Section 504 of the Rehabilitation Act of 1973, all **organizations** (i.e., plan sponsors and other CMS-contracted entities) must provide the required materials to beneficiaries in accessible formats, such as Braille, audio, large print, or other approved alternatives, if appropriate.CMS established a Special Enrollment Period (SEP) to protect individuals who **missed a valid election period** because they requested materials in an accessible format, but did not receive them in the same timeframe as those who received standard formats. This SEP, commonly referred to as the **ACC SEP**, ensures those individuals are given adequate time to make an enrollment decision once the delayed information is received in the appropriate format.**What Agents Need to Know:*** The ACC SEP **may only be used** if a beneficiary:
	+ Requested materials in an accessible format **during a valid election period**, **and**
	+ Did **not receive them in time** to use that election period
* **NOTE: If the consumer did NOT request the accessible format DURING their original election period, the ACC SEP CANNOT be used.**

**Consumers can ONLY use the ACC SEP if they previously requested material in an accessible format DURING their valid election period AND missed their original election period because they did not receive the accessible format material in time to enroll.*** The SEP begins at the **end of the missed election period** and remains open for **at least the length** **of the delay**, measured from the date the beneficiary requested the accessible materials to the date they were received.
* Documentation is **required** and should be maintained by the writing agent, including:
	+ Proof of the accessible format request
	+ Evidence of the delay (e.g., date standard vs. accessible formats were received)
	+ Identification of the missed election period

Agents **should not** **select the ACC SEP unless these conditions are clearly met and documented.** CMS and/or carriers may request supporting documentation at any time.**Friendly, but firm reminder:****ACC is a code for beneficiary accessibility. It is not to be used as a way to enroll a beneficiary who missed a valid enrollment period.**Misuse of any SEP code, including ACC, may result in disciplinary action by the Carrier and/or YourPlanChoice, up to and including termination. |

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