



**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.

