

MEDICARE DRUG & HEALTH PLAN CONTRACT ADMINISTRATION GROUP

DATE: October 5, 2012

TO: All Medicare Advantage Organizations

FROM: Danielle R. Moon, J.D., M.P.A.
Director

SUBJECT: Release of the Medicare Advantage Contract Amendment

The purpose of this memorandum is to release the attached Medicare Advantage (MA) Contract Amendment, which provides contract language for Medicare Advantage Organizations (MAOs) to use in provider and administrative agreements between an MAO and its first-tier entity or between a first-tier entity and its downstream entity.

This contract amendment can be used as a bilateral or unilateral amendment to contracts with health care providers and facilities and with administrative contractors. This language complies with Medicare laws, regulations, and CMS instructions, including, but not limited to, the Medicare Prescription Drug, Improvement and Modernization Act of 2003, (Pub. L. No. 108-173, 117 Stat. 2066). This amendment is **not** appropriate for use in Medicare Part D prescription drug contracts, Medicare Medicaid Plans, or any other contracts distinct from MA products.

Use of this contract amendment is voluntary; its release in no way prohibits an MAO or downstream entity from developing its own contract language. However, CMS strongly encourages MAOs to use this contract amendment for new and existing contracts or letters of agreement as a way to facilitate the MA contracting process.

If you have any questions about use of the MA contract amendment, please email:
MA_Applications@cms.hhs.gov.

Attachment: Medicare Advantage Contract Amendment