

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
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TO: All Medicare Advantage, Prescription Drug Plan, and Demonstration Organizations

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SUBJECT: Corrected Contract Year 2024 Translated Model Materials Requirements and Language Data Analysis

Background

Pursuant to 42 C.F.R. §§ 422.2267(a)(2) and 423.2267(a)(2), Medicare Part C plans and Part D sponsors (Sponsors) are required to translate vital materials into any non-English language that is the primary language of at least 5 percent of the individuals in a plan benefit package (PBP) service area. The Sponsors that have service areas that meet the 5 percent threshold must provide these translated materials on their websites and in hard copy upon beneficiary request. Effective CY 2024, §§ 422.2267(a)(4) and 423.2267(a)(4), require fully integrated dual eligible special needs plans or highly integrated dual eligible special needs plans, as defined at § 422.2, or applicable integrated plans, as defined at § 422.561, to translate materials into the language(s) required by the Medicaid translation standard as specified through their capitated Medicaid managed care contract in addition to the language(s) required by the Medicare translation standard. In addition, per §§ 422.2267(a)(3) and 423.2267(a)(3), these materials must be provided on a standing basis in any identified languages or accessible format upon receiving a request for the materials or when otherwise learning of the enrollee's primary language or need for an accessible format. Translation requirements for Medicare-Medicaid Plans (MMPs) are detailed in the three-way contracts as well as in each state-specific marketing guidance document on the CMS website.¹

¹ <https://www.cms.gov/Medicare-Medicaid-Coordination/Medicare-and-Medicaid-Coordination/Medicare-Medicaid-Coordination-Office/FinancialAlignmentInitiative/MMPInformationandGuidance/MMPMarketingInformationandResources>

The translated materials listed in Table 1 are available on the CMS website at the following locations:

- For Annual Notice of Change (ANOC) and Evidence of Coverage (EOC) materials for all plan types: <https://www.cms.gov/Medicare/Health-Plans/ManagedCareMarketing/MarketngModelsStandardDocumentsandEducationalMaterial>. Click on the zip file named “CY 2024_Part_C_Translated_Model_Materials” for Chinese or Spanish.
- For Part D model marketing materials: <https://www.cms.gov/Medicare/Prescription-Drug-Coverage/PrescriptionDrugCovContra/Part-D-Model-Materials>. Click on the zip file named “CY2024 Part D Model Materials Translated.”
- For enrollment forms: <https://www.cms.gov/Medicare/Health-Plans/ManagedCareMarketing/MarketngModelsStandardDocumentsandEducationalMaterial>. Click on the zip file named “CY 2024 Translated Enrollment Forms – Translated.”
- Spanish translations of MMP materials can be found on the Financial Alignment Initiative’s Marketing Information & Resources webpage: <https://www.cms.gov/Medicare-Medicaid-Coordination/Medicare-and-Medicaid-Coordination/Medicare-Medicaid-Coordination-Office/FinancialAlignmentInitiative/MMPInformationandGuidance/MMPMarketingInformationandResources>. CY 2024 Spanish translations of the Member/Participant Handbook (EOC), Formulary, Summary of Benefits, ANOC, and Provider and Pharmacy Directory for Illinois, Massachusetts, New York, Ohio, Rhode Island, South Carolina, and Texas MMPs are posted on the webpage.

CMS Translations of Model Materials

CMS provides Spanish, Chinese, Korean and Vietnamese translations of certain Parts C and D Contract Year (CY) 2024 model materials to alleviate some of the translation burden on Sponsors and provide consistency among translated materials. Please be aware that we do not translate all vital materials. Sponsors may continue to develop their own translated documents and, as needed, adapt the translations to accommodate the particular language needs of their members. It is a best practice to use translation services that adhere to generally accepted interpreter ethics and principles, demonstrate proficiency in understanding English and the language in need of translation, and translate effectively, accurately, and impartially from English to the language in need of translation using necessary specialized vocabulary, terminology, and phraseology.

Table 1: CY 2024 Part C and D Materials Translated by CMS

CY 2024 Material Translated by CMS	Version	Language(s)
ANOC and EOC	MA-PD (HMO)	Spanish, Chinese, Korean and Vietnamese
	PDP	Spanish, Chinese, Korean and Vietnamese
	PFFS	Spanish, Chinese, Korean and Vietnamese
	PPO	Spanish, Chinese, Korean and Vietnamese
	MA-only (PPO)	Spanish, Chinese, Korean and Vietnamese
	D-SNP	Spanish, Chinese, Korean and Vietnamese
	Errata	Spanish, Chinese, Korean and Vietnamese
Explanation of Benefits (EOB)	Part C	Spanish, Chinese, Korean and Vietnamese
Provider Directory	Part C	Spanish, Chinese, Korean and Vietnamese
Enrollment Forms	MA & PDP	Spanish, Chinese, Korean and Vietnamese
Formulary	Abridged and Comprehensive combined document	Spanish, Chinese, Korean and Vietnamese
Pharmacy Directory	Part D	Spanish, Chinese, Korean and Vietnamese
Transition Letter	Part D	Spanish, Chinese, Korean and Vietnamese
Low Income Subsidy(LIS) Rider	Part D	Spanish, Chinese, Korean and Vietnamese

Locating Plan-Level Languages

CMS provides the non-English languages meeting the 5 percent threshold for each CY 2024 plan, including MMPs and PACE organizations. This information may be accessed in the Health Plan Management System (HPMS) Material Language Lookup functionality in the Marketing Review Module.

CMS based the data in the Material Language Lookup on the plan service area data in HPMS as of July 1, 2023 including “pending” service areas. If changes to your plan’s service area were made in HPMS after July 1, 2023, then your organization **cannot** rely on the data in the Material Language Lookup and must conduct its own analysis using the methodology in the CY 2024 *Language Data Technical Notes, Appendix A*, available in HPMS.

To access the HPMS *Language Data Technical Notes*, please follow this path: **HPMS Home Page > Monitoring > Marketing Review > Marketing Lookups > Select Language Data Technical Notes from the HPMS Landing Page.**

For MMPs, the Material Language Lookup reflects the more expansive translation requirements in addition to those languages meeting the 5 percent threshold. MMPs should refer to their state-specific marketing guidance document for more information about their specific translation requirements. This information can be accessed at the Medicare-Medicaid Plan (MMP) Marketing Information & Resources page provided above.

To access the HPMS Material Language Lookup, please follow this path: **HPMS Home Page > Monitoring > Marketing Review > Material Lookups > Select a contract ID or MCE number.** The Material Language Lookup results display the contract ID, PBP ID, and non-English primary language(s) identified for at least 5 percent population in the plan's service area. A result of "N/A" indicates that the PBP's service area does not have a non-English primary language identified for at least 5 percent its population.

If you cannot find your organization's data, try using the multi-contract entity (MCE) ID associated with the contract Employer group contracts (i.e., "E" contracts) and employer-only 800-series PBPs are not included in the Material Language Lookup.

Language Analysis

Our analysis relied on the U.S. Census Bureau's American Community Survey (ACS) data. *Appendix A* contains the step-by-step methodology we used to identify the percentage of non-English speakers in each plan's service area. Any plan operating in Puerto Rico must provide materials in Spanish. ****NOTE:** The census website does not function fully with Internet Explorer™, and therefore, it is recommended that your organization use an alternate web browser, such as Chrome, Edge, or Firefox.

If you have any questions about this memo, please contact Ebony Thomas at PartD_Monitoring@cms.hhs.gov.