

Switching Medicare Supplement (Medigap) plans

Washington state does not require insurers to offer Medigap plans to people on Medicare under age 65, but clients can contact insurers directly to see if they might sell them a Medigap.

To buy a Medigap, Medicare clients must have **both Medicare Part A and Part B**.

For technical questions on any of the client situations below, refer clients to an OIC Health Compliance Analyst at 1-800-562-6900.

| | You have a guaranteed issue right if: | You have the right to buy: | You can/must apply for a Medigap policy: | Waiting period and source: |
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| 1 | You're age 65+ and within the first 6 months of your Part B effective date | Any OIC-approved Medigap plan that's sold in Washington state by any insurer | Within the first 6 months of your Part B effective date | Up to a 90-day waiting period RCW 48.66.025 (app.leg.wa.gov/RCW) |
| 2 | You're in a Medicare Advantage plan (MA) plan (like an HMO or PPO) and your plan's leaving Medicare or stops giving care in your area, or you move out of the plan's service area | An OIC-approved Medigap Plan A,B,C,F,K or L sold in Washington state by any insurer | As early as 60 calendar days before your coverage ends, but no later than 63 calendar days after your coverage ends Your Medigap can't start until your MA plan ends | No waiting period RCW 48.66.055(3)(b)(i) (app.leg.wa.gov/RCW) |
| 3 | You have Original Medicare and an employer group health plan (including retiree, COBRA or union coverage) that pays after Medicare pays and that plan is ending | An OIC- approved Medigap Plan A,B,C,F,K, or L sold in Washington state by any insurer If you have COBRA, you can either buy a Medigap plan right away or wait until the COBRA coverage ends. | No later than 63 calendar days after the latest of these 3 dates: 1) Date coverage ends 2) Date on notice you get telling you the coverage is ending 3) Date on a claim denial if that's how you know coverage ended | No waiting period RCW 48.055(3)(a) (app.leg.wa.gov/RCW) |

| You have a guaranteed issue right if: | You have the right to buy: | You can/must apply for a Medigap policy: | Waiting period and source: |
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| <p>4 You have Original Medicare and a Medicare SELECT plan; you move out of the SELECT service area; call the Medicare SELECT plan insurer for more information about your options</p> | <p>An OIC-approved Medigap Plan A,B,C,F,K or L sold by any insurer in Washington state or the state you're moving to</p> | <p>As early as 60 calendar days before the date your Medicare SELECT coverage will end, but no later than 63 calendar days after your Medicare SELECT coverage ends</p> | <p>No waiting period RCW 48.66.055(3)(c)(i)(D)(ii) app.leg.wa.gov/RCW</p> |
| <p>5 You have a "trial right" if you joined an MA plan (like an HMO or PPO) or PACE plan when you first became eligible for Medicare Part A at age 65, and within the first year after joining, you decide to switch to Original Medicare</p> | <p>Any Medigap plan that's OIC-approved to sell in Washington state by any insurer</p> | <p>As early as 60 calendar days before coverage ends, but no later than 63 calendar days after coverage ends</p> | <p>No waiting period RCW 48.66.055(3)(f) app.leg.wa.gov/RCW</p> |
| <p>6 You have a "trial right" if you dropped a Medigap plan to join an MA plan for the first time; you've been in the plan less than a year and you want to switch back</p> | <p>The Medigap plan you had before you joined the MA plan or A,B,C,F,K, or L that's OIC-approved to sell in Washington state by any insurer.</p> | <p>As early as 60 calendar days before the date your coverage will end, but no later than 63 calendar days after your coverage ends</p> | <p>No waiting period RCW 48.66.055(3)(e)(i) app.leg.wa.gov/RCW</p> |
| <p>7 You have a Medigap Plan A</p> | <p>Any other Medigap Plan A that's OIC-approved to sell in Washington state by any insurer</p> | <p>At any time</p> | <p>No waiting period if you've had 90 days of coverage prior RCW 48.66.130 app.leg.wa.gov/RCW</p> |

| You have a guaranteed issue right if: | You have the right to buy: | You can/must apply for a Medigap policy: | Waiting period and source: |
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| 8 You have a Medigap plan other than Plan A (includes High deductible Plan F) | Any other Medigap Plan B-N that's OIC-approved to sell in Washington state by any insurer | At any time | No waiting period if you've had 90 days of coverage prior RCW 48.66.045 (app.leg.wa.gov/RCW) WAC 284-66-064(4a) (app.leg.wa.gov/WAC) |
| 9 You want to replace a more comprehensive health insurance plan (i.e., a retiree or employer plan) with a Medigap plan <i>This doesn't apply to the Health Care Authority Blue Cross Premera plans.</i> | Any Medigap Plan B-N that's OIC-approved to sell in Washington state (except the HCA Blue Cross Premera plans) | At any time | No waiting period if you've had 90 days of coverage prior RCW 48.66.045 (app.leg.wa.gov/RCW) WAC 284-66-064(4) (app.leg.wa.gov/WAC) |
| 10 Your Medigap insurer goes bankrupt and you lose your coverage, or your Medigap plan coverage ends through no fault of your own | Any Medigap Plan A,B,C,F,K or L that's OIC-approved to sell in Washington state by any insurer | No later than 63 calendar days from the date your coverage ends | No waiting period RCW 48.66.055(3)(d)(i)(A) & (B) (app.leg.wa.gov/RCW) |
| 11 You leave an MA plan or drop a Medigap plan because the insurer didn't follow the rules, or it misled you | Any Medigap Plan A,B,,F,K or L that's OIC-approved to sell in Washington state by any insurer | No later than 63 calendar days from the date your coverage ends | No waiting period RCW 48.66.055 (3)(d)(ii)(iii) (app.leg.wa.gov/RCW) |

| You have a guaranteed issue right if: | When you're eligible (check with Blue Cross Premera): | Source: |
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| <p>12 Health Care Authority (HCA) Blue Cross Premera Medigap plan offers Plans A and F. These are standard group Medigap plans insured by Blue Cross Premera and offered through HCA for Public Employee Benefits Board (PEBB) retirees and Washington state residents. Refer all eligibility questions to Blue Cross Premera at 1-800-752-6663</p> | <p><i>To be eligible, if you are not a PEBB retiree, you must be a current Washington state resident and enroll during one of the following periods:</i></p> <ul style="list-style-type: none"> • <i>In the 30-day period before you become eligible for Medicare Part A and B</i> • <i>Within 6 months of initial enrollment in Medicare Part B</i> • <i>Within 6 months of turning age 65</i> • <i>Within 60 days of retirement</i> • <i>Within 60 days of establishing Washington state residency</i> • <i>Within 63 days of losing coverage under a retiree group health plan, an MA plan, a health care prepayment plan, a PACE plan, a Medigap or Medicare SELECT plan, or a Medicare risk or cost plan for reasons that qualify under federal law</i> | <p>RCW 41.05.195 (app.leg.wa.gov/RCW) – HCA provides a Medigap plan that conforms to RCW 48.66 (app.leg.wa.gov/RCW) for Washington state retired or disabled residents</p> <p>RCW 41.05.197 (app.leg.wa.gov/RCW) makes this available to any Washington state resident enrolled in Medicare Parts A and B</p> |

Note about eligibility for Medigap Plans C and F:

- People who turn 65 or first become eligible for Medicare after Jan. 1, 2020, can't buy Plan C or F.
- People who bought a Plan C or F before Jan. 1, 2020, can keep their plan and their benefits won't change. They don't need to take any action.
- Anyone eligible for Medicare Part A before Jan. 1, 2020, can still enroll in Plans C or F after Jan. 1, 2020, and then keep the plan as long as they choose.

Source: Medicare Access and CHIP Reauthorization Act of 2015 (MACRA)