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Important Reminder: Proper Use of Special Election Periods (SEPs)

When assisting Medicare beneficiaries, it is critical that all enrollment activities are conducted with accuracy, integrity, and full adherence to CMS requirements. Recent industry observations indicate increased scrutiny around the use of Special Election Periods (SEPs), particularly where eligibility is not adequately supported.

Please review the guidance below and incorporate it into your enrollment practices.

Agent Responsibility When Using an SEP

Agents are responsible for ensuring that each enrollment is supported by a valid and properly verified election period. Special Election Periods are only available when specific eligibility criteria are met, and each SEP has defined qualification requirements and time frames.

Before submitting an enrollment using an SEP, agents must:

- Confirm the individual meets all eligibility criteria for the selected SEP.
- Verify applicable timing requirements and effective date rules.
- Ensure the election period selected accurately reflects the beneficiary's situation.
- Maintain appropriate documentation or attestation supporting eligibility.

If an election period is missing or incorrect, it may result in delays or denials of enrollment.

Unacceptable Practices

Agents must never:

- Persuade or coach a beneficiary to answer questions in a way that qualifies them for an SEP.
- Select an SEP based on what "might work" without confirming eligibility.
- Use an SEP as a workaround to facilitate enrollment outside of a valid election period.

These actions are unethical and may be viewed as fraudulent. All enrollment activity must reflect the beneficiary's true circumstances and intent.

Frequently Misused SEPs

QUICK REFERENCE ONLY — For Agent Use

Disclaimer: This chart is for quick reference purposes only and does not represent a complete summary of all rules, time frames, limitations or eligibility requirements applicable to these election periods. Agents must reference their carrier election period handbooks and/or CMS's Medicare Advantage and Part D Enrollment and Disenrollment Guidance for all applicable rules, time frames and limitations before using any election period.

Election Period	Key Reminders (Quick Reference)
Disaster/Emergency SEP (SEP-DST)	Common Misuse: Using this SEP simply because a beneficiary lives in an area where a disaster was declared. Key Reminder: The beneficiary must have had a valid election period available for use at the time of the disaster AND must have been directly impacted by the disaster in a way that prevented them from using that election period. Living in a declared disaster area alone does not qualify a beneficiary for this SEP.
State Pharmaceutical Assistance Program (SPAP) SEP	Common Misuse: Using this SEP without confirming that the beneficiary's state has an SPAP that has been formally qualified by CMS. Key Reminder: Not all states have an SPAP, and not all state pharmaceutical assistance programs qualify for this SEP. The beneficiary must reside in a state with a CMS-qualified SPAP. Verify carrier eligibility materials and CMS guidance before using this SEP.
Accessible Format SEP	Common Misuse: Applying this SEP without verifying that the beneficiary actually requested materials in an accessible format and did not receive them as requested. Key Reminder: Two conditions must both be met: (1) the beneficiary must have requested plan materials in an accessible format (e.g., large print, Braille, audio), and (2) the plan must have failed to provide those materials in the requested format. Needing accessible materials alone is not sufficient.
Change in Residence SEP	Common Misuse: Using this SEP when the beneficiary has moved but remains within their current plan's service area, or when the SEP window has expired. Key Reminder: The beneficiary must have moved outside their plan's service area (not just to a new address within it). The election must also be made within the applicable SEP window — timing matters. Confirm both eligibility and timeliness before proceeding.

Dual/LIS SEP	Common Misuse: Using this SEP to enroll a beneficiary into a Medicare Advantage plan or a D-SNP, or using it with someone who isn't dually eligible or LIS-eligible. Key Reminder: This SEP allows dually eligible and Extra Help (LIS)-eligible individuals a once-per-month election into Original Medicare with a stand-alone PDP, or to switch between stand-alone PDPs. It cannot be used to enroll in or switch between Medicare Advantage plans (including D-SNPs), and it does not apply to beneficiaries identified as "at-risk" or "potential at-risk."
Dual/LIS Change in Status SEP	Common Misuse: Using this SEP without confirming exactly when the beneficiary's Medicaid or LIS status changed, which can result in an election made outside the valid SEP window. Key Reminder: This SEP applies when a beneficiary gains, loses or has a change in dual-eligible or Extra Help (LIS) status — it is separate from the ongoing monthly Dual/LIS SEP available to beneficiaries who remain dual/LIS-eligible. Agents must ask when the Medicaid or LIS change (or notice of it) occurred to confirm the election falls within the applicable time frame. This SEP does not apply to beneficiaries identified as "at-risk" or "potential at-risk."
Integrated Care SEP	Common Misuse: Using this SEP to move a beneficiary into any Medicare Advantage plan, or into a D-SNP that isn't aligned with their Medicaid managed care plan. Key Reminder: This SEP is limited to full-benefit dual-eligible individuals enrolling into a Fully Integrated Dual Eligible SNP (FIDE SNP), Highly Integrated Dual Eligible SNP (HIDE SNP) or Applicable Integrated Plan (AIP) that is aligned with the beneficiary's Medicaid managed care organization (MCO). It cannot be used to enroll into a standard MA plan or an unaligned D-SNP. If the beneficiary isn't enrolled in (or actively enrolling in) that affiliated Medicaid MCO, this SEP does not apply — the Dual/LIS SEP above may still allow a monthly move to Original Medicare and a stand-alone PDP, but it cannot be used to switch into a different MA plan.

Commitment to Ethical Enrollment Practices

Agents play a critical role in ensuring beneficiaries receive accurate guidance and are enrolled under the correct election period. Your diligence helps protect both the beneficiary and the integrity of the Medicare program.

Please take the time to reference your available Election Period Resources and applicable [CMS guidance](#) when determining SEP eligibility. When in doubt, seek clarification before proceeding with an enrollment.

For questions or clarification, please contact your upline's compliance team.