

Peak Advantage Members

Accessing Care During a Disaster or

Emergency Declaration

During a disaster or emergency declaration, our first priority is to **ensure that Peak Health's members are safe**. Upon a declaration of a disaster or emergency by the President of the United States, a US Secretary, and/or the Governor, Peak Health will respond in the best interests of its members and customers and in accordance with federal and state requirements.

During a disaster or emergency declaration, be sure to **check our website, [medicare.peakhealth.org](https://www.medicare.peakhealth.org)**, to find the most up-to-date information, or call **Member Services at 1-855-962-7325** to speak directly with a Peak Health Team Member.

Upon declaration of an emergency or disaster, Peak's CEO or President will assign a leader of the Peak Declaration Response Team. That leader will ensure Peak is taking all necessary and appropriate actions to support our members and communities impacted by the declared emergency or disaster. Below is a copy of Peak Health's Disaster and Emergency Declaration Policy, which provides more detail around what you can expect from Peak Health during a disaster or emergency declaration:

There are times when the President of the United States, a US Secretary, and/or a Governor of a US State or Protectorate may declare a disaster or emergency that causes or results in a/an disruption(s) access to health care. As a Medicare Advantage plan with a Medicare contract, Peak Health must, until the end date of the declaration, ensure access to certain covered benefits. Those benefits, and the manner in which access must be provided, are outlined as follows:

- Cover Medicare Parts A and B services and supplemental Part C plan benefits furnished at non-contracted facilities subject to § 422.204(b)(3), which specifies:
 - basic benefits must be provided through, or payments must be made to, providers and suppliers that meet applicable requirements of title XVIII and part A of title XI of the Act. In the case of providers meeting the definition of "provider of services" in section 1861(u) of the Act, basic benefits may only be provided through these providers if they have a provider agreement with CMS permitting them to provide services under original Medicare.
- Waive, in full, requirements for gatekeeper referrals where applicable.
- Provide the same cost-sharing for the enrollee as if the service or benefit had been furnished at a plan-contracted facility.
- Make changes that benefit the enrollee effective immediately without the 30-day notification requirement at § 422.111(d)(3).

When a declaration of a disaster or emergency is made, it will identify the geographic location affected and will be made by the President of the United States, a US Secretary, and/or a Governor of a US State or Protectorate. When they do so, it may be made as one of the following:

1. Presidential declaration of a disaster or emergency
 - a. Stafford Act
 - b. National Emergencies Act
2. Secretarial declaration of a public health emergency
 - a. Section 319 of the Public Health Service Act
3. Declaration by the Governor of a State or Protectorate

Whoever makes the declaration, Peak Health will respond in the best interests of its members and customers and in accordance with federal and state requirements.

When a disaster or emergency is declared, Peak Health will continue to provide access to the benefits specified above for 30 days after the earliest occurrence of the following:

- All sources (US President, US Secretary, or Governor) that declared a disaster or emergency that include the service area declare an end to the disaster or emergency
- No end date was identified (as described in the previous bullet-point), and all applicable emergencies or disasters declared for the area have ended, including through expiration of the declaration or any renewal of such declaration
- There is no longer a disruption of access to health care as defined in 42 CFR 422.100(m)(6) (see also the below Definitions section).

If Peak Health cannot resume normal operations by the end of the disaster or emergency, it will notify CMS accordingly.

Peak Health is responsible for notifying and disclosing to customers and members:

- The terms and conditions of payment during the disaster or emergency for non-contracted providers furnishing benefits to plan enrollees residing in the affected service area(s).
- Annually notify enrollees of the information listed Peak Health's Disaster and Emergency Declaration Policy.
- Provide the information described in Peak Health's Disaster and Emergency Declaration Policy on its website.



Learn More

Medicare.PeakHealth.org



Have Questions?

1.855.962.7325 (PEAK)

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