



Distributing Your Medicare Part D Disclosure Notice

Per the Center for Medicare and Medicaid Services (CMS) regulations, the Medicare Part D Disclosure Notice must be distributed via paper or electronically. Appropriate electronic delivery methods include via email or attachment to email, via a company website, and providing documents on a magnetic disc, CD, or DVD.

Determining Appropriate Manner for Disclosing your ERISA Plan Document/SPD (Electronically or in Paper Form)

For disclosing your Notice electronically (via email, website, etc.):

- 1) For employees who are able to access these documents electronically at their worksite location (where they would reasonably be expected to perform employment duties, and for whom access to the electronic system is an integral part of their job): you will not need their consent to receive the document electronically.
- 2) For employees who do not meet the criteria set forth in item (1): you must obtain their written consent to receive the document electronically. (A sample *Consent to Receive Electronic Plan Disclosures* form is attached.)
- 3) For employees who do not meet the criteria set forth in item (1) or (2): you must provide them with a paper copy .

Disclosing Your Notice Electronically via Email with Attachment or Hyperlink to Website or Company Intranet

For employees who meet the criteria set forth in item (1) or (2) above: send each individual an email (please see below example) and include the Notice as an attachment to that email, or insert a hyperlink or instructions for access.

Sample Email

RE: Important Information about Your Prescription Drug Coverage and Medicare Part D

The Medicare Part D Disclosure Notice which is here being furnished to you electronically, contains important information regarding your current prescription drug coverage and options under Medicare should you and, if applicable, your spouse or dependent are Medicare Part D eligible.

[Example option: The Notice is attached to this email.]

[Example option: Clicking on the below hyperlink to access «CLIENT_NAME»'s employee website and view the Notice in its entirety:]

Insert hyperlink

You have the right to request and obtain a paper version of these Notices at no charge. Contact the Human Resources Manager of the ABC Company who acts on behalf of the plan administrator at 555-555-5555, extension 555 or janedoe@abcco.com to request a paper version.

If you have any questions regarding these Notices, or have problems accessing them, please contact _____ at 555-555-5555, ext. 777

TASC • 2302 International Lane • Madison, WI 53704-3140 • www.tasconline.com

The information in this communication is confidential and may be used by the authorized recipient only for its intended purpose only. Any other use or disclosure is prohibited.

It is important to confirm that the Notice's manner of delivery was aimed at ensuring receipt. To that aim, we advise you to use the email system's "return receipt" or "undeliverable email" function, or perform a periodic survey or review of employees to determine if they have received the documents.

Disclosing your Notice Electronically other than via Email

For employees who meet the criteria set forth in item (1) or (2) above: distribute to each individual the Notice via another form of electronic media (not email; e.g., magnetic disc, a CD or DVD). A notice similar in content to the sample email presented above should accompany the disc, CD, etc.

For employees who do not meet the criteria set forth in item (1) or (2): you must provide them with a paper copy in a manner to ensure receipt of the document, e.g. first class mail, interoffice mail, payroll stuffer, etc.

It is important to note that an employee who receives an electronic disclosure of the materials always has the right to request a paper copy of the Notice at any time.

Disclosing Your Notice Using Hard Copy

If the Notice will not be disclosed electronically there is no required consent needed from the covered participating employee. The paper copy may be delivered in any manner reasonably calculated to ensure receipt of the document, including first class mailing, third class mailing, including with paychecks, etc.

If ever challenged in regard to distribution of the Notice, the Plan Sponsor would have to show proof of reasonable distribution. This is accomplished by various means by different employers.

Date:

Cooke School and Institute Consent to Receive Electronic Plan Disclosures

Individuals entitled to receive benefits under the Cooke School and Institute Employee Benefits Plan (the Plan) are also entitled to be furnished with certain documents required by ERISA. Cooke School and Institute intends to provide the following documents (as described below) electronically to you by CD, Company Intranet, or email:

- the Summary Plan Description (SPD);
- any required Summaries of Material Modifications (SMMs);
- the Summary Annual Report (SAR); and
- any documents required to be furnished under ERISA § 104(b)(4) on request by a Participant or beneficiary under the Plan or made available under ERISA § 104(b)(2).

What You Must Do:

To receive documents, you must complete and return the following Consent to Receive Cooke School and Institute Employee Benefits Plan Disclosures by _____ (insert CD, Company Intranet, email, etc.)

You may withdraw this consent by notifying Elizabeth Santiso by sending an email message to esantiso@cookeschool.org or via interoffice mail that indicates in the subject line:

Consent Withdrawn for _____ (insert CD, Company Intranet, email, etc.) and includes in the body your full name, address, and phone number. Provide us with an address to which paper documents should be sent.

Your Right to a Paper Copy:

You have a right to request and obtain a paper version of any document at no charge. If paper version is available, you will receive immediately or a paper copy will be sent to you via interoffice mail. You should contact Elizabeth Santiso, who acts on behalf of the Plan administrator, at 212-280-4473 or esantiso@cookeschool.org to request a paper copy.

Consent to Receive Plan Disclosures by _____ (insert CD, Company Intranet, Email, etc.)

I have read and received the Statement Regarding Cooke School and Institute Employee Benefits Plan Disclosures (the Statement), which is set out above.

I consent to receiving the type of documents described in the Statement by _____ (CD, Company Intranet, email, etc.). I confirm that I have the ability to access information in the format that is described in the Statement. I understand that I will receive copies of the types of document described in the Statement *only* in the _____ (CD, Company Intranet, email, etc.) form described unless I exercise my right to affirmatively request a paper copy of such document. I understand that I can withdraw this consent at any time by sending an email message to esantiso@cookeschool.org or interoffice request to Elizabeth Santiso that indicates in the subject line:

Consent Withdrawn for Electronic Disclosure and includes in the body my full name, address, and phone number.

Employee Name

Date

Please return to: Contact:	Elizabeth Santiso
Employer:	Cooke School and Institute
Mailing or interoffice address:	475 Riverside Dr Suite 730 New York, NY 10115
Email address of contact:	esantiso@cookeschool.org

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The information in this communication is confidential and may be used by the authorized recipient only for its intended purpose only. Any other use or disclosure is prohibited.

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