

CHAPTER 91
MEDICARE DRUG SUBSIDY

Chapter rescission date pursuant to Iowa Code section 17A.7: 8/1/30

441—91.1(249A) Definitions.

“*Applicant*” means a person applying for a Medicare drug subsidy through the department and includes a responsible person or authorized representative acting for an applicant, except for the purposes of subrule 91.2(2).

“*Application*” or “*Medicare drug subsidy application*” means the federal Social Security Administration’s Form SSA-1020B-OCR-SM, Application for Help with Medicare Prescription Drug Plan Costs.

“*Authorized representative*” means a person representing an applicant or recipient as described in 441—subrule 76.9(2).

“*Recipient*” means a person receiving a Medicare drug subsidy based on an application filed with the department and includes a responsible person or authorized representative acting for a recipient, except for the purposes of subrule 91.2(2).

“*Responsible person*” means a person acting on an applicant’s or recipient’s behalf as described in 441—subrule 76.9(1).

[ARC 9314C, IAB 5/28/25, effective 8/1/25]

441—91.2(249A) Application.

91.2(1) *Application filing.* Any person may apply for the Medicare drug subsidy through the department in accordance with 441—Chapter 76.

91.2(2) *Identifiable application and signature.*

a. An identifiable application is an application that contains:

(1) The legible name and address of the applicant; and

(2) The signature of the applicant, a responsible person, or an authorized representative on Form SSA-1020B-OCR-SM, Application for Help with Medicare Prescription Drug Plan Costs.

b. If an authorized representative signed the application forms on behalf of an applicant, the applicant or a responsible person must also sign the application forms before the application can be approved.

[ARC 9314C, IAB 5/28/25, effective 8/1/25]

441—91.3(249A) Eligibility determination. The department will determine eligibility for the Medicare drug subsidy pursuant to Section 1860D-14 of the Social Security Act and implement federal regulations at 20 CFR Section 418 as amended to August 1, 2024.

91.3(1) *Cooperation.* An applicant must cooperate with the department in the application process. Cooperation may include providing additional information or verification of information, participating in an interview, or signing documents. Failure to cooperate in the application process shall be a basis for denial of an application.

91.3(2) Reserved.

[ARC 9314C, IAB 5/28/25, effective 8/1/25]

441—91.4(249A) Effective date. The effective date of eligibility will be determined pursuant to 42 CFR Part 423 as amended to August 1, 2024.

[ARC 9314C, IAB 5/28/25, effective 8/1/25]

441—91.5(249A) Changes in circumstances.

91.5(1) *Responsibility to report changes.* A Medicare drug subsidy applicant or recipient shall report to the department in a timely manner any changes in the following circumstances:

a. Care of dependents.

b. Household composition.

c. Household income.

- d. Household resources.
- e. Marital status.
- f. Medicare eligibility or enrollment.
- g. Place of residence.

91.5(2) *Effective date of change.* Changes in eligibility or level of subsidy will be effective the month following the month in which the change is reported.

[ARC 9314C, IAB 5/28/25, effective 8/1/25]

441—91.6(249A) Reinvestigation. The department will reinvestigate eligibility as often as the recipient's circumstances indicate, but in no instance will the period between reinvestigations exceed 12 months.

91.6(1) *Application requested.* When requested to do so by the department, the recipient shall complete the Medicare drug subsidy application as part of the reinvestigation process. The application shall be completed within ten working days from the date a written request is issued. Failure to complete the application shall be a basis for cancellation or reduction of the subsidy.

91.6(2) *Additional information requested.* The recipient shall supply additional information needed to establish eligibility or level of subsidy pursuant to 441—Chapter 76.

[ARC 9314C, IAB 5/28/25, effective 8/1/25]

441—91.7(249A) Appeals. An applicant or recipient shall have the right to appeal any adverse action by the department pursuant to 441—Chapter 2506.

[ARC 9314C, IAB 5/28/25, effective 8/1/25; Editorial change: IAC Supplement 6/10/26]

These rules are intended to implement Iowa Code sections 217.6 and 249A.4 and Section 1935(a) of the Social Security Act (42 U.S.C. Section 1396u-5).

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