

Guarantee Issue for a Medigap during the Annual Enrollment Period when your Medicare Advantage Plan also sells Medigap plans (for e.g. Anthem, United HealthCare, Aetna, etc)

If your Medicare Advantage Plan also sells Medigap plans you can only buy a Medigap plan from that company initially. (Note: if you turned 65 prior to January 1, 2020, you cannot buy a G or D plan initially. You can buy an F plan then switch to a G plan during your next Birthday Period if you wish)

Script to use when calling an insurance company about purchasing a Medigap policy with a Guarantee Issue right.

I am interested in getting a quote for a Medigap Plan ____ (tell them what plan you are interested in; see above). Are you licensed to sell insurance in California? The representative will ask you some questions like date of birth, whether you are a smoker, your zip code, effective dates of Medicare Parts A & B, etc. At that point he or she may give you a quote or may ask you what qualifies you to purchase a Medigap policy at this time. This is when you say the following:

“Under the **California Insurance Code Section 10192.12** I have a **Guaranteed Issue of a Medigap Policy** when the Medicare Advantage plan that I am enrolled in (select correct reason below)

- (a) Reduced or eliminated one or more benefits for next year*
- (b) Increased one or more of my co-pays for next year*
- (c) Increased my premium for next year OR*
- (d) Is discontinuing the contract with my physician for next year*

You have until March 31 to complete this process but it is recommended you do so by the end of the current calendar year so you have the Medigap in place on January 1.

Please note, you also have a Guarantee Issue right for a Medigap if your Medicare Advantage Plan leaves the area. (this right extends 123 days after you lose your coverage)

Under any of these circumstances, the Medigap Insurance Company should not ask you any health questions but may say they have to in order to get through their application. You may answer “don’t know” to all questions but in any event they cannot be used to deny you coverage.

Here’s what should happen next:

The representative should take your application by phone. You should ask how long the approval process will take and when you will be notified of your acceptance. Once you have acceptance in writing, enroll in a drug plan using Medicare.gov Plan Finder. This will automatically disenroll you from your current Medicare Advantage Plan effective 12/31/24. You will start the new year with Original Medicare, the Medigap plan you enrolled in, and the drug plan you enrolled in. Make sure to present your new insurance cards to your medical providers and pharmacist when you visit the first time.

Guarantee Issue for a Medigap during the Annual Enrollment Period when your Medicare Advantage Plan does not sell Medigap plans (e.g. Kaiser, Scan, Alignment, etc)

If your Medicare Plan does not sell Medigap plans you can buy a plan from any company. You must complete the purchase by December 7 with effective date of January 1. ((Note: if you turned 65 prior to January 1, 2020, you cannot buy a G or D plan initially. You can buy an F plan then switch to a G plan during your next Birthday Period if you wish)

Script to use when calling an insurance company about purchasing a Medigap policy with a Guarantee Issue right.

I am interested in getting a quote for a Medigap Plan ____ (tell them what plan you are interested in; see above). Are you licensed to sell insurance in California? The representative will ask you some questions like date of birth, whether you are a smoker, your zip code, effective dates of Medicare Parts A & B, etc. At that point he or she may give you a quote or may ask you what qualifies you to purchase a Medigap policy at this time. This is when you say the following:

“Under the **California Insurance Code Section 10192.12** I have a **Guaranteed Issue of a Medigap Policy** when the Medicare Advantage plan that I am enrolled in (select correct reason below)

- (a) Increased my co-pay for one or more services 15% or more for next year*
- (b) Increased the premium by 15% or more for next year*
- (c) Reduced one or more benefits under the plan for next year*
- (d) Is discontinuing the contract with my physician for next year”*

You must complete the application process for this Medigap by December 7.

Please note, you also have a Guarantee Issue right for a Medigap if your Medicare Advantage Plan leaves the area. (this right extends 123 days after you lose your coverage)

Under any of these circumstances, the Medigap Insurance Company should not ask you any health questions but may say they have to in order to get through their application. You may answer “don’t know” to all questions but in any event they cannot be used to deny you coverage.

Here’s what should happen next:

The representative should take your application by phone. You should ask how long the approval process will take and when you will be notified in writing of your acceptance. Once you have something in writing that you are accepted for this plan, enroll in a drug plan using Medicare.gov Plan Finder. (You should do this by December 7 unless your plan is leaving the market next year. Then you have the timeline stated above.) This will automatically disenroll you from the current Medicare Advantage Plan effective 1/1/25. Make sure to present your new insurance cards to your medical providers and pharmacist when you visit the first time.



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