

## WHAT IS MEDICARE PART D?

BY BEN KINIRY, ESQ.



Last month's article discussed Medicare Part B. This article discusses another benefit under the Medicare program, Part D.

**First: A reminder to check your prescription drug plan.** Every fall there is an open enrollment period for Medicare Part D: this year it is **October 15 to December 7**. During this timeframe, it is important for those enrolled in Medicare Part D, a prescription drug benefit, to check to see which plan will benefit them the most. It is not uncommon for an individual to develop a medical condition over the course of the year and to now require a medication not covered by his or her current plan. If you know someone who may not remember to review his or her existing plan, you may wish to take this opportunity to remind, or even assist, him or her in doing so.

The following paragraphs explain what you should know about Medicare Part D as a starting point and were taken from a writing by the National Academy of Elder Law Attorneys, Inc. (NAELA).

### ENROLLMENT

A person is eligible to enroll in a Part D plan when he or she qualifies for Medicare. This is usually when someone turns 65, although a person receiving Social Security Disability Income may qualify for benefits at a younger age. Special rules apply for people who qualify for both Medicare and Medicaid. Although the Part D plan is optional, a person who does not enroll when first eligible and later decides to enroll must pay a surcharge to the premium equal to 1 percent per month. There is no cap to the penalty. A person who does not enroll when first eligible does not pay a surcharge, however, if he or she is enrolled in another health care plan, that is determined by the federal government to be a "creditable" plan. A "creditable" plan is one that offers prescription benefits similar to the Part D benefits. Examples of creditable plans include federal employee retirement health plans, the military TRICARE, and some private retiree health insurance policies. The plan

administrator for a health plan must inform a retiree in writing each year whether the plan is "creditable." A person should keep the letter as it may be necessary to prove credible coverage.

### SELECTING A PLAN

A person may choose a plan that is offered in his or her geographic area. The model plan offers to pay 75 percent of the cost of drugs covered by the plan up to the initial coverage limit, less a deductible. There is no benefit paid for expenses after this amount until a "catastrophic" benefit becomes available when annual expenses exceed the out-of-pocket limit. This is what has been described as the "doughnut hole." Once expenses exceed the out-of-pocket limit, then the plan pays 95 percent of the cost. The deductible, initial coverage limit, and out-of-pocket limit are increased each year by the increase in drug costs. However, not all plans follow this model. Some offer different deductibles and some do not have a "doughnut hole." The Affordable Care Act (ACA) gradually eliminates the donut hole by 2020. Some plans are offered through Medicare Health Maintenance Organizations (HMOs) or Preferred Provider Organizations (PPOs). Some HMOs and PPOs do not charge any additional premium for the prescription drug benefit.

### PLAN FORMULARY

A plan will only pay a benefit if the drug is covered by the plan. This is called the plan's formulary. Each plan has a different formulary. The plan may also restrict the number of pills it will cover for a formulary drug, require plan approval before paying for a drug, or require that a less costly drug be used before paying for the prescribed drug. Therefore, it is very important to know whether a particular medication is included in the plan's formulary. The plan also has the right to change its formulary with 60 days notice to the beneficiary. Plans must have an exceptions process that allows beneficiaries access to medically necessary drugs that are not on a plan's formulary.

### SWITCHING PLANS

In most cases, a person can change plans only once a year during the "open season" occurring between October 15 and December 7.

### EXTRA HELP

Persons with limited income and assets may qualify for subsidies. The income and resource levels are issued by the federal government and revised annually. Dually eligible beneficiaries (Medicare and Medicaid) who are in a nursing home will not have to pay anything and can switch plans once a month. Application for "Extra Help" is made either through the federal Social Security Administration or the state agency responsible for administering the Medical Assistance program.

### APPEALS

A person may have rights to file appeals if he or she is adversely affected by a provider's decision. These rights may include: change in formulary of a needed drug, change in prescription to a drug not on the formulary, limitations on quantity of drugs, or access to drugs.

### WHERE TO GO FOR HELP

The Center for Medicare and Medicaid Services (CMS) web site, [www.medicare.gov](http://www.medicare.gov), offers information about Part D. It also contains a listing of all the available plans for a particular state on its web site and a tool kit to help select a particular plan. Medicare can be reached toll-free at 800-633-4227. Area Agencies on Aging, which are found in every local jurisdiction, also provide excellent information about Part D as well as other questions about Medicare."

New Hampshire Bureau of Elderly and Adult Services (our local Agency on Aging) is located at 129 Pleasant Street, Brown Building Concord. You may reach them at (603) 271-9203.

*National Academy of Elder Law Attorneys, Inc. Medicare (2016) (NAELA).*

*Information in this article does not constitute legal advice.*

## Talking Trash



### RECYCLING ELECTRONIC WASTE

By Danielle Ruane

Electronic waste (called e-waste) is now one of the fastest growing segments of the world's waste stream. It is estimated that approximately 50 million tons of e-waste are generated worldwide each year. That is enough e-waste to cover Manhattan every single year. Of that amount, approximately 20% is properly recycled each year. The rest is believed to be sent to landfills, incinerators or simply dumped.

The substantial amount of e-waste generated should not be too surprising. Computers, tablets, cellphones, appliances and other devices are constantly being upgraded by consumers who want to own the most advanced technology. Many manufacturers have created a strategy of "planned obsolescence" in their devices to ensure that they are replaced at a rapid rate. It is estimated that cellular phones are replaced every two years by consumers - indeed, there are almost 34,000 results if you search on eBay for a "vintage flip phone." Even common household appliances such as pressure cookers and vacuum cleaners are no longer immune to obsolescence as models with new technology and robotics are constantly developed.

The good news is that there are ways to responsibly recycle our electronics. This year, RecycleUSA-LLC will be accepting electronics during Bow and Dunbarton's annual **Household Hazardous Waste Collection Day on October 19, 2019**. There is no fee for items such as computers, cell phones, keyboards, mice and cable boxes. All power cords, wires and cables are also free to recycle, so if you have a collection of old charging cables in your junk drawer, this is a great way to responsibly recycle those items. There is a small fee for certain items such as printers, televisions, microwaves, computer speakers, dehumidifiers, air conditioners and appliances such as Keurig machines. For a full list of items and the associated charges, please visit <https://www.bownh.gov/340/Annual-Household-Hazardous-Waste-Collect>.

You might be wondering what happens to our once-loved electronics after they are dropped off with RecycleUSA-LLC. RecycleUSA-LLC, headquartered in Londonderry, estimates that they recycle approximately 10 to 15 tons of e-waste each year.

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According to Eric Lynch, an owner of RecycleUSA-LLC, his company tries to repurpose as many items as possible. Items such as modern flat panel monitors, modern laptops and cell phones are examples of items that are refurbished and re-sold. It should be noted that the term "modern" means less than 2-3 years old. Anything older will not typically have much economic value, and therefore, it may not make financial sense to spend the time to repurpose the item. RecycleUSA-LLC also explained that when an item such as a computer is being repurposed, the memory will be wiped to clear all user data in accordance with Department of Defense standards. The item is then factory reset. The memory on older hard drives are also wiped if they are still functioning, or alternatively, will be mechanically shredded if they no longer function.

For the e-waste items that have no repurpose potential, they will be disassembled into their basic materials such as plastic, steel, aluminum or copper. Those items are sent to companies that specialize in processing those items.

If you are unable to attend Household Hazardous Waste Collection Day this year, there are still other ways to responsibly recycle your e-waste. RecycleUSA-LLC accepts items at its facility in Londonderry. It is recommended that you call ahead to ensure that the office will be open. Many electronic items can be dropped off at Best Buy which is the nation's largest collector of recyclable electronics and appliances, and there is a list of accepted items on the company's website. The Concord Transfer Station also collects items such as microwaves, televisions and air conditioners for a fee. Schnitzer Steel, located on Sandquist Street in Concord, accepts many types of large and small appliances that contain metal. They also accept power cords, wires, and cables for the copper wiring. Schnitzer Steel will pay you for the items, or alternatively, you can donate them to the extent that you want to avoid having the items weighed at the facility in order to obtain payment. For a list of accepted items, you can visit the website or call their Concord office.

Of course, recycling is not necessarily the solution to our global e-waste problem. Although recycling helps us feel a bit less guilty about our ongoing consumption habits, the best solution is to try to extend the lives of our devices, keep them out of the landfill and maybe try to ignore the fact that the next generation of our favorite gizmo is being released.

**PATIENCE – the 10th JOY OF AGING**  
By Donna Deos



Last December we talked about Patience and Anger. That is not the Patience we are talking about today. That patience was more of a reminder of a way to calm down in certain situations. The patience we talk about today is a state of being. It is an awareness and a good place to live from. It is a joy of aging.

In life, we work hard, we try, we want things and we do what we can to get them. Sometimes we try so very hard that it gets frustrating when we don't get them and then we watch others who seem to have everything just fall into their lap.

Why does this happen? Well, because when we try so hard to force our way with things we often repel the thing we most want along with those who would otherwise be trying to help us get what we want.

In our elder years, most of us come to realize that all things happen as they should and in

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due time. When we come to this realization we no longer push for things and we can live a more peaceful life.

We learn to not let things get to us as we know, that given time, things will work themselves out to how they should be. Actually, the less we meddle with them trying to make them happen, the more quickly they happen and in much better ways than we could have expected. I know that some of you understand what I am saying perfectly and some of you have no clue what I mean. Those of you who understand have achieved this joy. Congratulations!

You are now able to watch formerly stressful things happen around you and not get ruffled at all. You are able to have faith and believe in people and situations that used to drive you nuts.

People who haven't reached this joy yet often wonder how those of us who have can just sit there not reacting. They feel like

we should be jumping to attention. We should be straightening out whomever it is that is not doing what they think they should. They may even say "how can you just sit there and do nothing about this?!" And we say, "because it isn't mine to fix. They need to figure this one out on their own." Right?!

For those of you who haven't reached this point yet. Don't worry. You will get there. The less you try to get there, the sooner you will. It's a thing called Surrender, which we will talk about in December. In November, we'll talk about Forgiveness and in the meantime, try watching how things unfold around you instead of trying to control how things happen. This is your first step to reaching the 10th Joy of Aging.

May patience be with you.  
All my best, Donna



Donna Deos, LLC


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