

## FACT SHEET

### PART D LATE ENROLLMENT PENALTY (LEP) RECONSIDERATION APPEALS DATA – Q2 2023

A Late Enrollment Penalty (LEP) appeal is the process by which an individual enrolled in a Medicare prescription drug plan (enrollee) may challenge a plan's determination that an LEP should be assessed. Appeals begin with a request by an enrollee (or his or her representative) for a reconsideration of the plan's decision to assess an LEP. If, upon reconsideration, the plan upholds its decision, the enrollee may request a reconsideration by the Part D Independent Review Entity, which is also called the Part D Qualified Independent Contractor (Part D QIC). Under Medicare regulations, the Part D QIC decision is final and not subject to further appeal.

#### Part D LEP Appeals Process

The following data summarizes and highlights some of the key data on reconsiderations during the 19th year (April 1, 2023 – June 30, 2023) of the Medicare prescription drug benefit program.

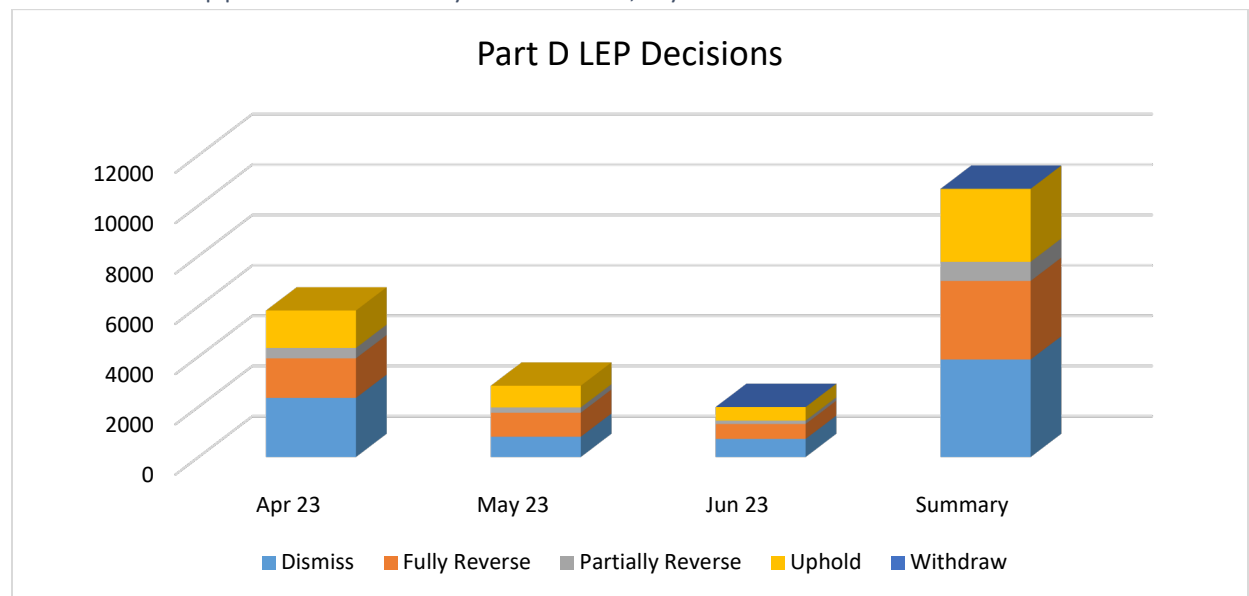
#### Reconsideration Volume

The Part D QIC closed 10,660 reconsiderations during the second quarter of calendar year 2023. This represents a rate of 0.20 reconsiderations for each 1,000 Medicare beneficiaries enrolled.<sup>1</sup>

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<sup>1</sup> Volume, divided by June enrollment (times 1,000), is used to calculate the annual rate of appeals per 1,000 enrollees.

## Number of Appeals Closed<sup>2</sup> by Part D LEP, by Month

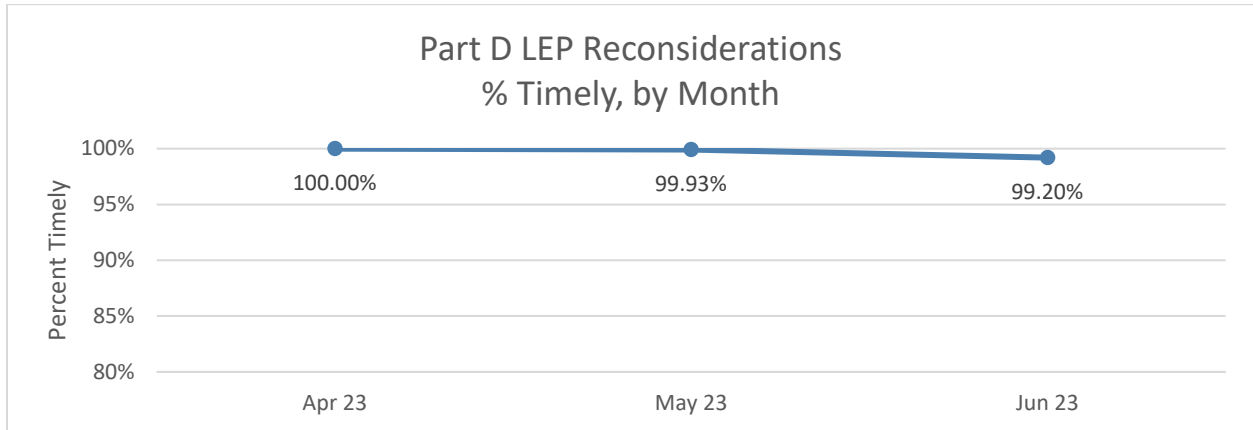


## Part D LEP Appeal Volume, by Decision

Month	Dismiss	Fully Reverse	Partially Reverse	Uphold	Withdraw	Grand Total
Apr 23	2353	1575	413	1490		5831
May 23	807	955	211	865		2838
Jun 23	721	595	135	539	1	1991
<b>Summary</b>	<b>3881</b>	<b>3125</b>	<b>759</b>	<b>2894</b>	<b>1</b>	<b>10660</b>

<sup>2</sup> Excludes Reopening of LEP Appeals

## Timeliness of LEP Reconsiderations Closed



Month Closed	Total Cases	Timely Cases	% Timely
Apr 23	5831	5831	100.00%
May 23	2838	2836	99.93%
Jun 23	1991	1975	99.20%
<b>Summary</b>	<b>10660</b>	<b>10642</b>	<b>99.83%</b>