

## **FACT SHEET**

### **PART D LATE ENROLLMENT PENALTY (LEP) RECONSIDERATION APPEALS DATA – Q4 2022**

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 (also called the Part D Qualified Independent Contractor or "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 18th year of the Medicare prescription drug benefit program, Oct. 1, 2022, to Dec. 31, 2022.

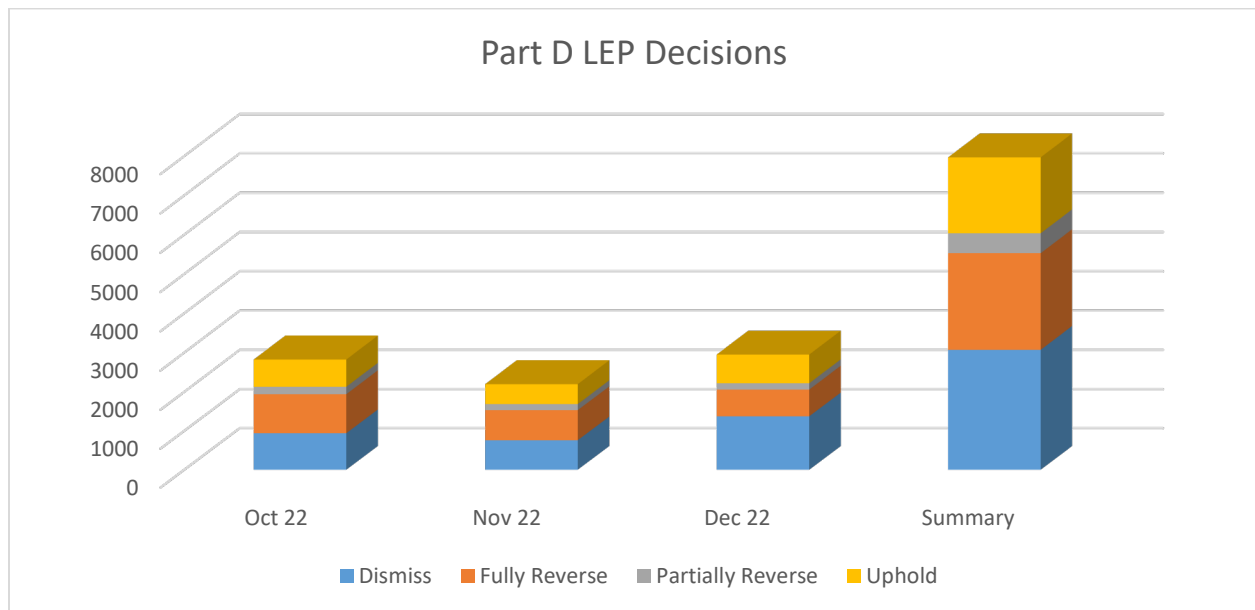
#### **Reconsideration Volume**

The Part D QIC closed 7,968 reconsiderations during the fourth quarter of calendar year 2022. This represents a rate of 0.15 reconsiderations for each 1,000 Medicare beneficiaries enrolled.<sup>1</sup>

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<sup>1</sup> Volume, divided by December 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

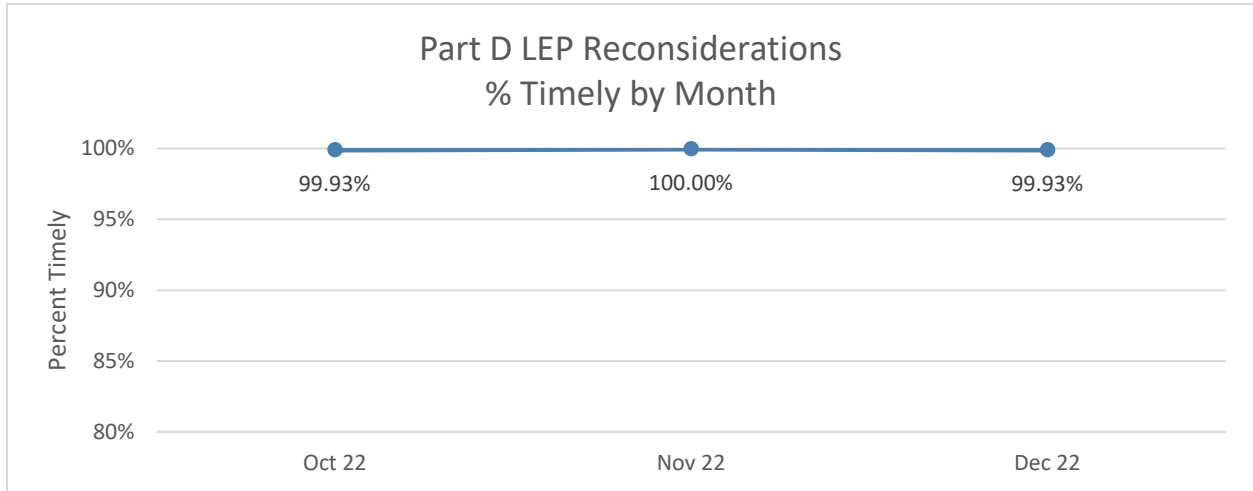


## Part D LEP Appeal Volume by Decision

Month	Dismiss	Fully Reverse	Partially Reverse	Uphold	Total
Oct 22	938	1002	190	693	2823
Nov 22	758	774	155	509	2196
Dec 22	1373	685	161	730	2949
<b>Summary</b>	<b>3069</b>	<b>2461</b>	<b>506</b>	<b>1932</b>	<b>7968</b>

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

## Timeliness of LEP Reconsiderations Closed



Month Closed	Total Cases	Timely Cases	% Timely
Oct 22	2823	2821	99.93%
Nov 22	2196	2196	100.00%
Dec 22	2949	2947	99.93%
<b>Summary</b>	<b>7968</b>	<b>7964</b>	<b>99.95%</b>