

## FACT SHEET

### PART D LATE ENROLLMENT PENALTY RECONSIDERATION APPEALS DATA – Q3 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 (July 1, 2023 – September 30, 2023) of the Medicare prescription drug benefit program.

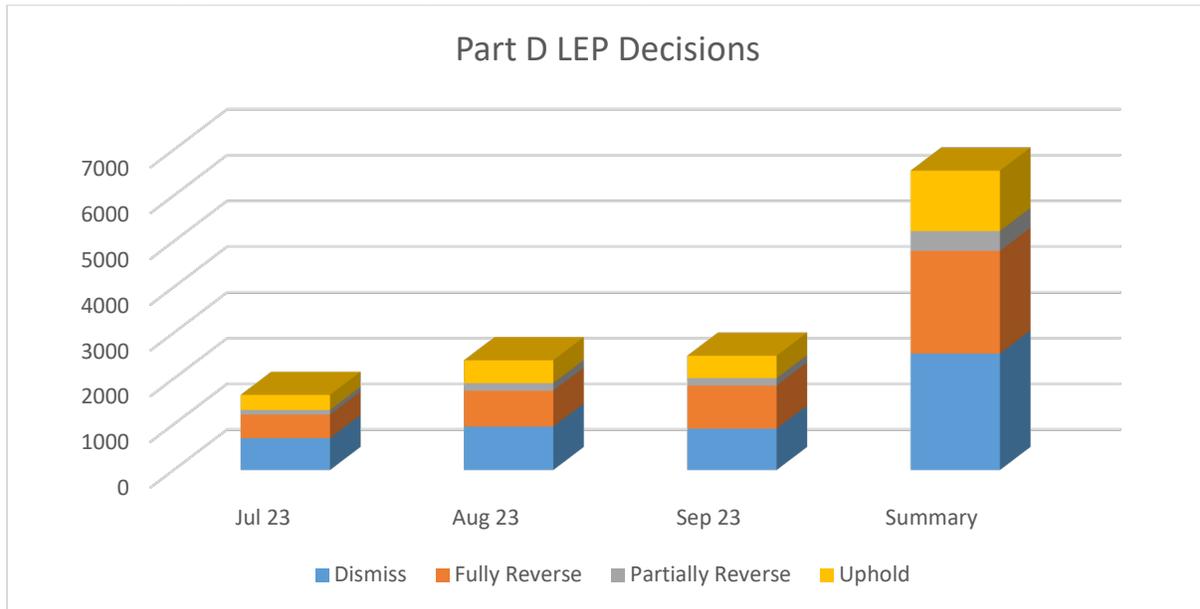
#### Reconsideration Volume

The Part D QIC closed 6,544 reconsiderations during the third quarter of calendar year 2023. This represents a rate of 0.12 reconsiderations for each 1,000 Medicare beneficiaries enrolled.<sup>1</sup>

---

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

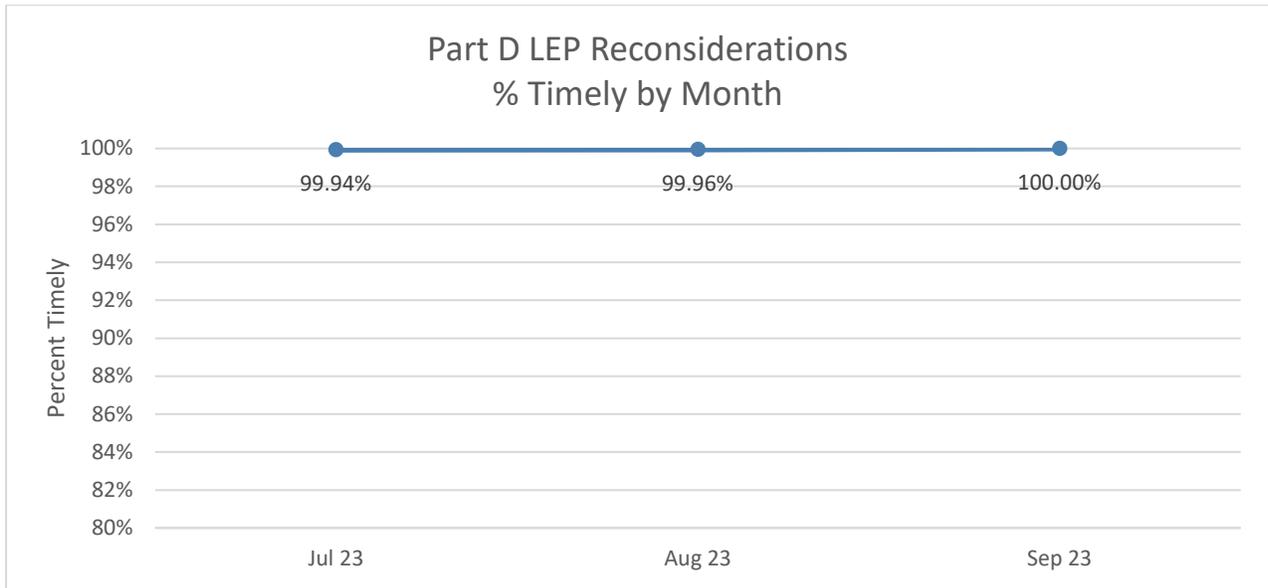


## Part D LEP Appeal Volume, by Decision

Month	Dismiss	Fully Reverse	Partially Reverse	Uphold	Grand Total
Jul 23	695	517	102	329	1643
Aug 23	948	784	169	500	2401
Sep 23	904	942	163	491	2500
<b>Summary</b>	<b>2547</b>	<b>2243</b>	<b>434</b>	<b>1320</b>	<b>6544</b>

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

## Timeliness of LEP Reconsiderations Closed



Month Closed	Total Cases	Timely Cases	% Timely
Jul 23	1643	1642	99.94%
Aug 23	2401	2400	99.96%
Sep 23	2500	2500	100.00%
<b>Summary</b>	<b>6544</b>	<b>6542</b>	<b>99.97%</b>