FACT SHEET

PART D LATE ENROLLMENT PENALTY (LEP) RECONSIDERATION APPEALS DATA – Q1 2021

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 their 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 16th year of the Medicare prescription drug benefit program, Jan. 1, 2021 – March 31, 2021.

Reconsideration Volume

The Part D QIC closed 9,885 reconsiderations during the first quarter of calendar year 2021. This represents a rate of 0.19 reconsiderations for each 1,000 Medicare beneficiaries enrolled.[1]

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[1] Volume, divided by mid-year enrollment (times 1,000), is used to calculate the annual rate of appeals per 1,000 enrollees.

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Number of Appeals Closed[2] by Part D LEP by Month[33]

Part D LEP Decisions
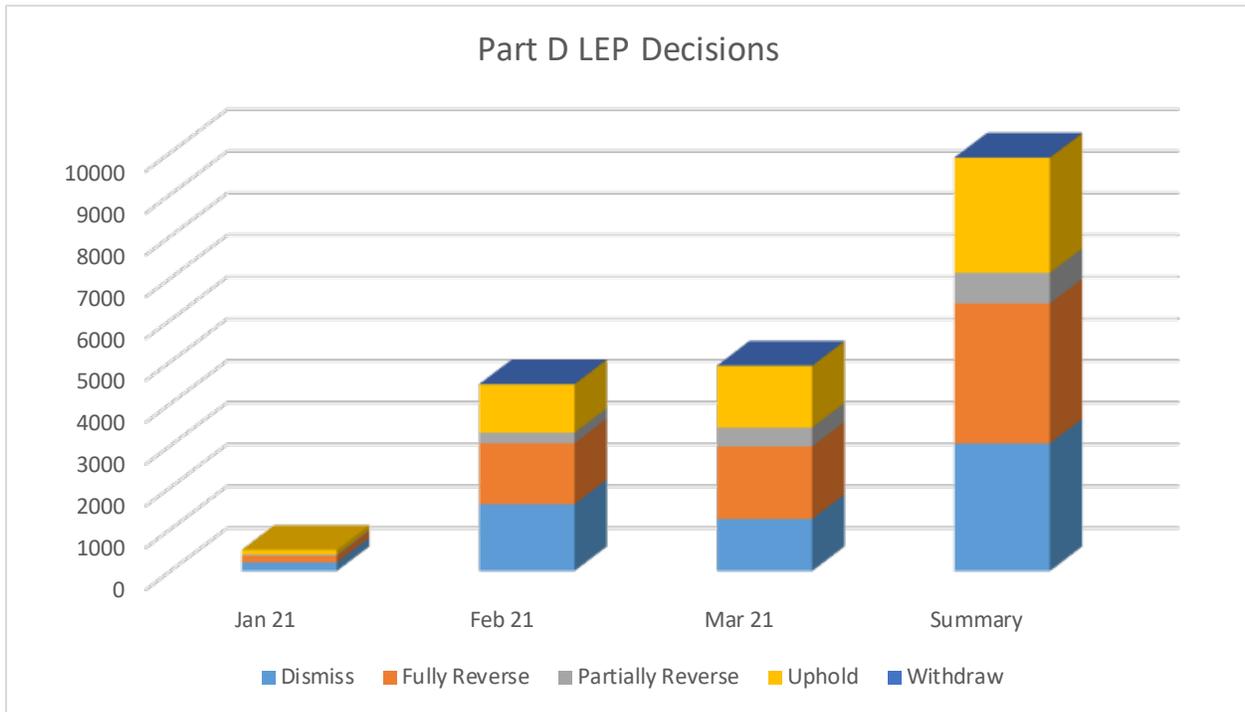
Part D LEP Appeal Volume by Decision

Month	Dismiss	Fully Reverse	Partially Reverse	Uphold	Withdraw	Total
Jan 21	207	154	31	114		506
Feb 21	1,598	1,455	251	1,161	3	4,468
Mar 21	1,243	1,734	451	1,477	6	4,911
Summary	**3,048**	**3,343**	**733**	**2,752**	**9**	**9,885**

Timeliness of LEP Reconsiderations Closed

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[2] Excludes Reopening of LEP Appeals
[3] Chart cannot show Withdraw volumes due to the limited volumes

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Part D LEP Reconsiderations
% Timely by Month
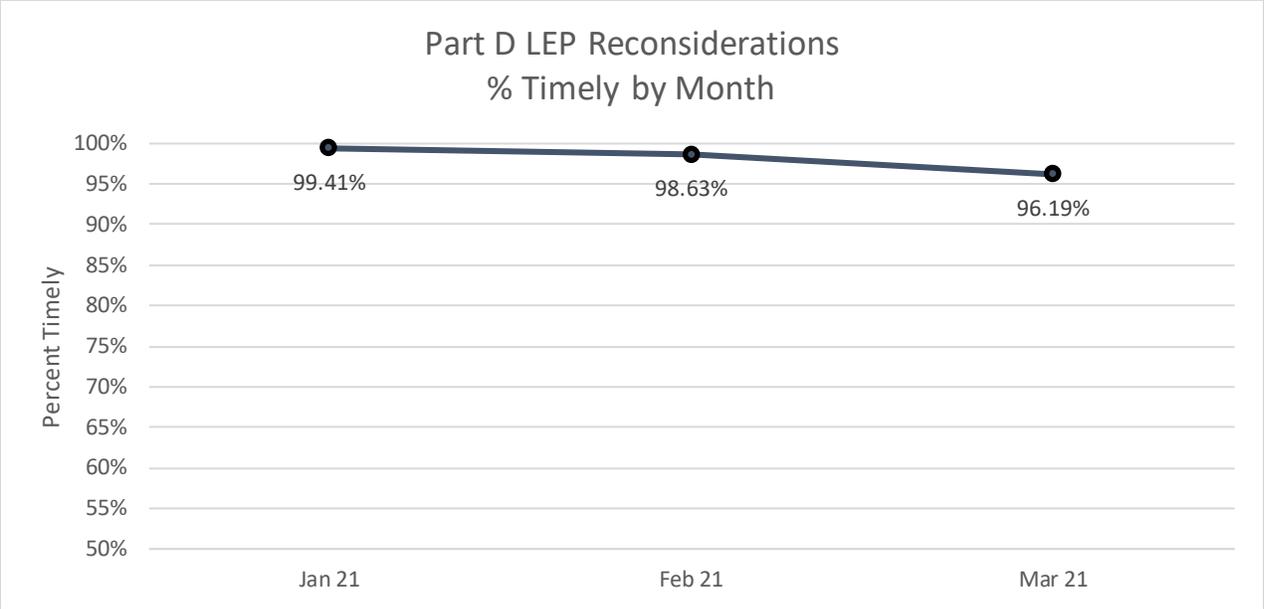
Part D LEP Appeal Volume by Decision

Month Closed	Total Cases	Timely Cases	% Timely
Jan 21	506	503	99.41%
Feb 21	4,468	4,407	98.63%
Mar 21	4,911	4,724	96.19%
Summary	**9,885**	**9,634**	**97.46%**

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