

# Fact Sheet: Part D Late Enrollment Penalty (LEP) Reconsideration Appeals Data – 2017

## Late Enrollment Penalty (LEP)

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 12th year of the Medicare prescription drug benefit program, January 1, 2017 – December 31, 2017.

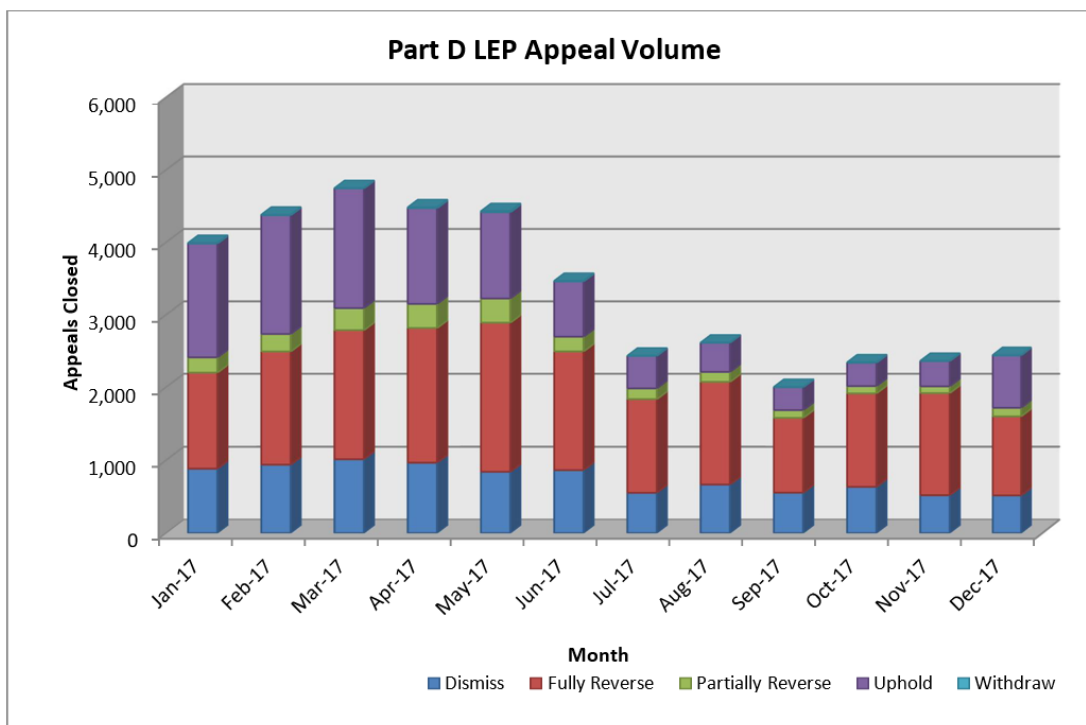
## Reconsideration Volume

The Part D QIC closed 39,664 reconsiderations during calendar year 2017. This represents a rate of 0.93 reconsiderations for each 1,000 Medicare beneficiaries enrolled.<sup>1</sup> It also represents a 11.2% decrease in the aggregate number of LEP appeals received in 2016.

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<sup>1</sup> Annual volume, divided by mid-year 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<sup>3</sup>



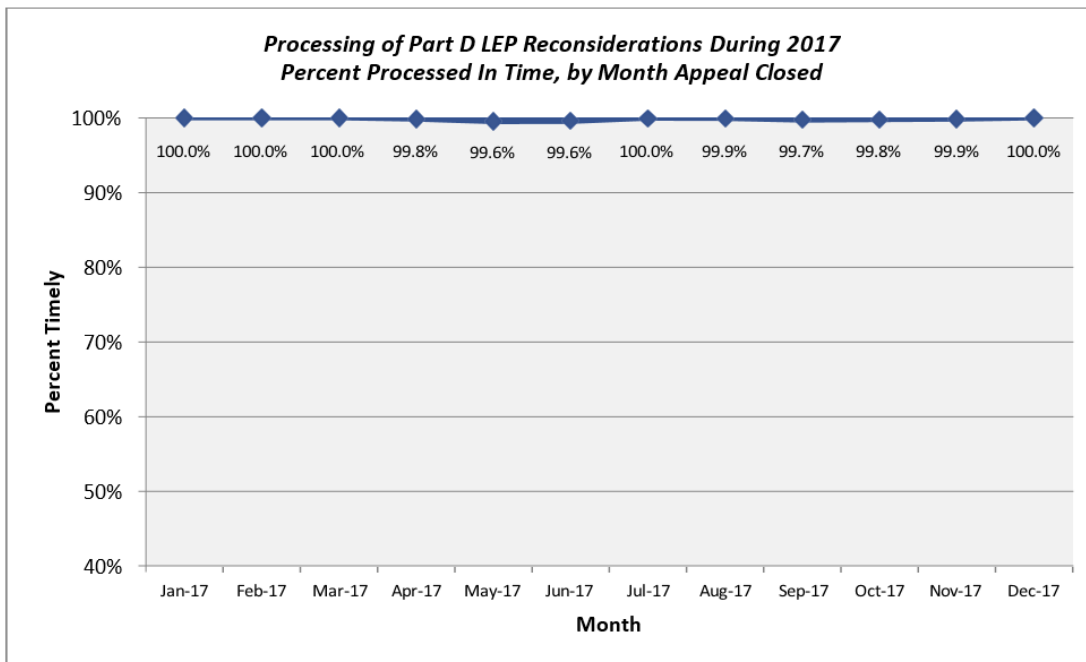
Part D LEP Appeal Volume shown as Appeals Closed versus Months

Month	Dismiss	Fully	Partially	Uphold	Withdraw	Total
Jan-17	882	1,317	210	1,572	7	<b>3,988</b>
Feb-17	937	1,553	242	1,639	7	<b>4,378</b>
Mar-17	1,012	1,772	305	1,653	3	<b>4,745</b>
Apr-17	964	1,851	332	1,322	11	<b>4,480</b>
May-17	840	2,048	335	1,190	14	<b>4,427</b>
Jun-17	863	1,628	203	764	6	<b>3,464</b>
Jul-17	552	1,280	149	448	2	<b>2,431</b>
Aug-17	665	1,406	137	403	1	<b>2,612</b>
Sep-17	553	1,021	107	316	3	<b>2,000</b>
Oct-17	634	1,278	101	322	4	<b>2,339</b>
Nov-17	519	1,397	94	347	3	<b>2,360</b>
Dec-17	516	1,078	119	723	4	<b>2,440</b>
Summary	<b>8,937</b>	<b>17,629</b>	<b>2,334</b>	<b>10,699</b>	<b>65</b>	<b>39,664</b>

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

<sup>3</sup> Chart cannot show Partially Reverse or Withdraw volumes due to the limited volumes

## Timeliness of LEP Reconsiderations Closed<sup>4</sup>, Calendar Year



Timeliness of LEP Reconsiderations Closed, Calendar Year 2017

Month Closed	Cases	Timely	Percent Timely
<b>Jan-17</b>	3,981	3,981	100.00%
<b>Feb-17</b>	4,371	4,371	100.00%
<b>Mar-17</b>	4,742	4,742	100.00%
<b>Apr-17</b>	4,469	4,462	99.84%
<b>May-17</b>	4,413	4,394	99.57%
<b>Jun-17</b>	3,458	3,444	99.60%
<b>Jul-17</b>	2,429	2,428	99.96%
<b>Aug-17</b>	2,611	2,609	99.92%
<b>Sep-17</b>	1,997	1,992	99.75%
<b>Oct-17</b>	2,335	2,331	99.83%
<b>Nov-17</b>	2,357	2,354	99.87%
<b>Dec-17</b>	2,436	2,436	100.00%
<b>Summary</b>	<b>39,599</b>	<b>39,544</b>	<b>99.86%</b>

<sup>4</sup> Excludes Reopening and Withdraw of LEP Appeals.