

## **FACT SHEET**

### **PART D LATE ENROLLMENT PENALTY (LEP) RECONSIDERATION APPEALS DATA – Q1 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 (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 summarizes and highlights some of the key data on reconsiderations during the 19th year of the Medicare prescription drug benefit program, Jan. 1, 2023 to March 31, 2023.

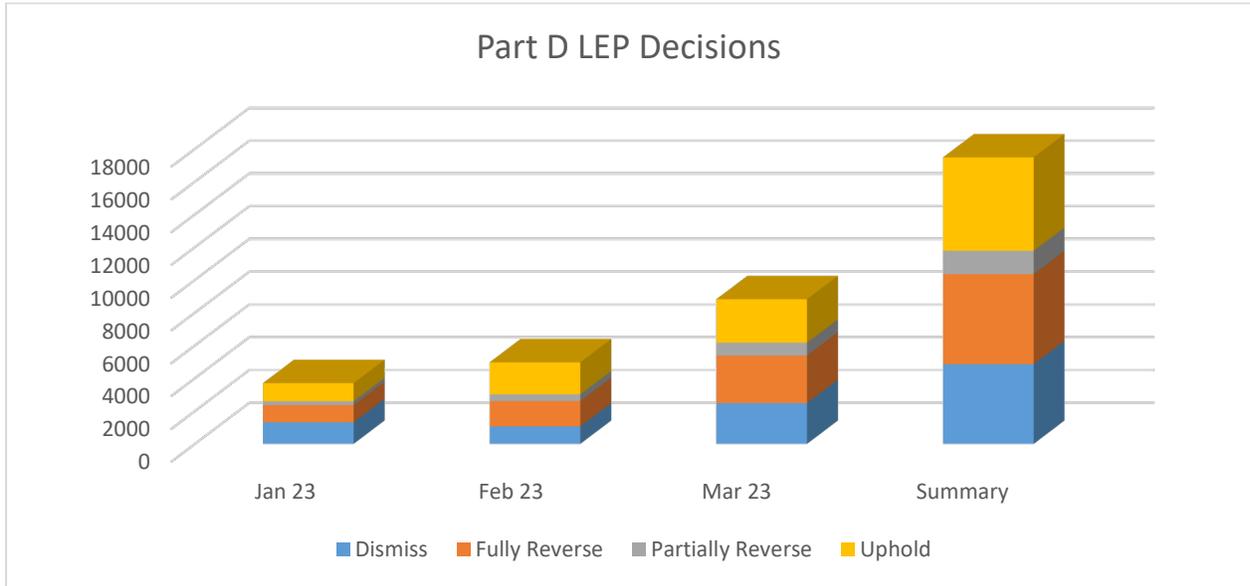
#### **Reconsideration Volume**

The Part D QIC closed 17,481 reconsiderations during the first quarter of calendar year 2023. This represents a rate of 0.32 reconsiderations for each 1,000 Medicare beneficiaries enrolled.<sup>1</sup>

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

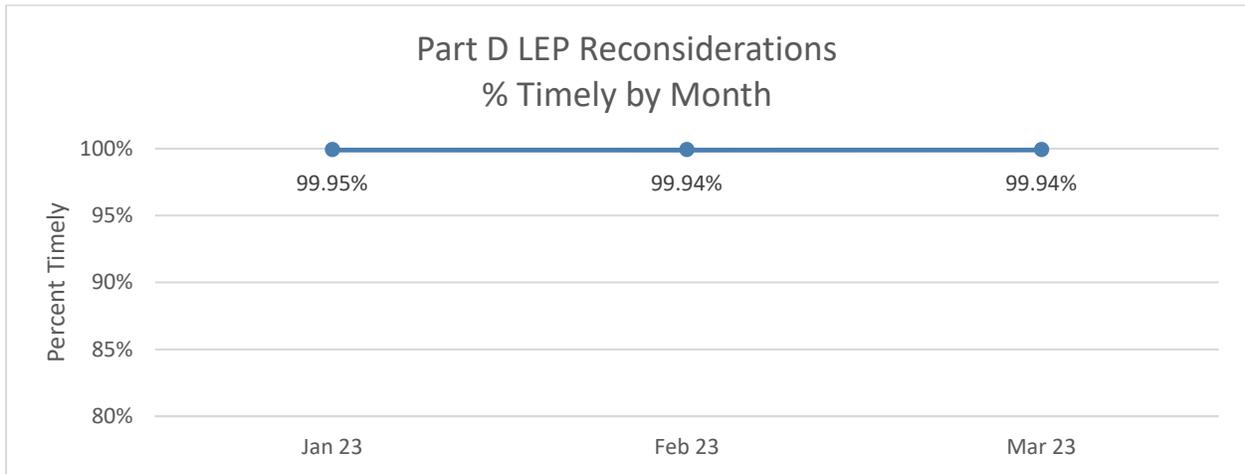


## Part D LEP Appeal Volume by Decision

Month	Dismiss	Fully Reverse	Partially Reverse	Uphold	Grand Total
Jan 23	1314	1046	238	1100	3698
Feb 23	1059	1547	408	1951	4965
Mar 23	2480	2902	781	2655	8818
<b>Summary</b>	<b>4853</b>	<b>5495</b>	<b>1427</b>	<b>5706</b>	<b>17481</b>

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

## Timeliness of LEP Reconsiderations Closed



Month Closed	Total Cases	Timely Cases	% Timely
Jan 23	3698	3696	99.95%
Feb 23	4965	4962	99.94%
Mar 23	8818	8813	99.94%
<b>Summary</b>	<b>17481</b>	<b>17471</b>	<b>99.94%</b>