

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Center for Medicare
7500 Security Boulevard
Baltimore, Maryland 21244-1850



**Center for Medicare
Medicare Plan Payment Group**

DATE: April 7, 2014

TO: All Part D Plan Sponsors

FROM: Cheri Rice, Director, Medicare Plan Payment Group

SUBJECT: Availability of Contract Dispute Resolution Reports for Benefit Year 2011

As part of the Coverage Gap Discount Program (CGDP), manufacturers have the right to dispute invoiced discount payments within 60 days of receipt of invoice, and the Third Party Administrator (TPA) has 60 days to make a determination on the disputed PDEs.

In September 2012, the Centers for Medicare & Medicaid Services (CMS) began releasing quarterly Dispute Resolution Reports to sponsors through the TPA. The Dispute Resolution Reports provide the final resolution status (upheld in favor of the manufacturer or denied) of the Part D contract's PDEs that were invoiced and later disputed by the manufacturer. Part D sponsors have been receiving quarterly Dispute Resolution Reports since Quarter 1 2012.

On April 18, 2014, the TPA will release all four quarters' Dispute Resolution Reports for benefit year 2011 to the Part D sponsors. These reports will have the same layout as the regular Dispute Resolution reports. Each quarter's report is separate, but all four quarters' reports will be available for retrieval on April 18.

The benefit year 2011 reports will contain only the status of disputed PDEs that were upheld in favor of the manufacturer. Disputed PDEs that received a status of 'Denied' will not be included in the reports. If a sponsor did not have any disputed PDEs that resulted in an 'Upheld' status for a particular quarter in 2011, they will not receive a report for that quarter. It is possible that some sponsors may not receive any reports for 2011 or only some quarters' reports for 2011.

As a reminder, Part D sponsors are expected to take corrective action on an upheld dispute within 90 days of receiving the Dispute Resolution Report per our timeliness guidelines. Corrective action in response to an upheld dispute could include deleting the PDE or adjusting the relevant financial and/or non-financial field(s) that lead to the error.

Please direct any questions regarding these reports to the TPA.