

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
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CENTER FOR MEDICARE

DATE: January 3, 2023
TO: Medicare Advantage Organizations, Cost Plans, and Prescription Drug Plan Sponsors
FROM: Jennifer R. Shapiro, Director, Medicare Plan Payment Group
SUBJECT: Medical Loss Ratio Data Form and Attestation Submission Reminder for Contract Year 2021

Each Medicare Advantage (MA) Organization, Cost Plan, and Part D Plan Sponsor is required to submit medical loss ratio (MLR) information to CMS for each contract year pursuant to the regulations at 42 CFR §§ 422.2460 and 423.2460. On May 31, 2022, CMS released a memo with information about the Contract Year (CY) 2021 MLR data form and filing instructions, along with the anticipated timeline for the 2021 MLR submissions. CMS is releasing this memorandum to serve as a reminder and confirmation of the CY 2021 MLR timeline. The upload functionality for CY 2021 MLR data forms will be available in HPMS beginning Friday, January 6, 2023. The CY 2021 MLR data forms must be submitted in HPMS by **11:59 PM Pacific Time (PT) on Friday, February 3, 2023.**

The electronic attestation functionality for CY 2021 MLR will be available in HPMS beginning Monday, February 6, 2023. The CY 2021 MLR attestations must be submitted in HPMS by **11:59 PM Pacific Time (PT) on Wednesday, February 15, 2023.**

The MLR data forms and electronic attestations must be submitted in the Health Plan Management System (HPMS) at: HPMS Home > Plan Bids > Medical Loss Ratio > CY2021. Instructions can be found at the same location.

MAOs, Cost Plans, and Part D Plan Sponsors whose CY 2021 contract(s) were terminated, consolidated, or withdrawn are required to submit an MLR data form that accounts for Part C and Part D revenue, including the risk adjustment reconciliation amounts. CMS will post the Part C and Part D risk adjustment reconciliation amounts by January 6, 2023 for CY 2021 contracts that terminated, consolidated, or withdrew at: HPMS Home > Risk Adjustment > Risk Adjustment > Risk Adjustment Reconciliation Amount > CY2021. These CY 2021 values were obtained from the June 2022 Monthly Membership Report (MMR) and the November 2022 MMR, for adjustment reason codes (ARC) 25 and 37. This information may be used in the development of CY 2021 MLR reporting.

For contracts with non-Employer Group Waiver Plans (non-EGWPs) that had allocated MA Rebates to reduce Part B premiums in the CY 2021 bid pricing tool, please review the memo

released on June 28, 2022 titled “MA Rebates allocated to Part B Premium Reduction and Medical Loss Ratio for Contract Years 2020 and 2021.” In that memo, CMS described an issue with the MMR data fields and announced the release of a data report with Part B premium reduction amounts for CY 2021, which is available at: HPMS Home > Risk Adjustment > Risk Adjustment > Part B Premium Reduction Data > CY2021. For CY 2021 MLR reporting, MAOs should review the Part B Premium Reduction data issue described in that memo and take into account the data published in HPMS when preparing their CY 2021 MLR Data Forms.

Questions regarding the Medicare MLR data form may be sent to MLRreport@cms.hhs.gov. Technical questions may be addressed to the HPMS Help Desk at hpms@cms.hhs.gov. Additional guidance regarding the MLR reporting requirements may be found at: <https://www.cms.gov/Medicare/Medicare-Advantage/Plan-Payment/medicallossratio.html>. MLR guidance for Medicare-Medicaid Plans (MMPs) will be released separately; questions related to MMPs may be sent to MMCOcapsmodel@cms.hhs.gov. Thank you.