

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



CENTER FOR MEDICARE

DATE: January 28, 2020
TO: All Part D Plan Sponsors
FROM: Jennifer R. Shapiro, Acting Director, Medicare Plan Payment Group
SUBJECT: Completion of the Reopening of the 2014 Final Part D Payment Reconciliation

CMS completed the calculations for the reopening of the 2014 Final Part D Payment Reconciliation, and any payment adjustments stemming from the results of these calculations will be reflected in the March 2020 payment. The calculations were performed in accordance with § 1860D-14 and § 1860D-15 of the Social Security Act and associated regulations at 42 CFR 423 subpart G and guidance. The reconciliation calculations utilize all accepted data as follows:

- Prescription Drug Event (PDE) data with a processed date, found on the Prescription Drug Front-end System (PDFS) response report, on or before 20190930 Cycle 3;
- All prospective payments made for Part D net of all adjustments processed through the January 2020 payment; and
- Direct and Indirect Remuneration (DIR) information received in the Health Plan Management System (HPMS) by September 26, 2019.

Sponsors will receive payment reconciliation reports, as well as the Part D Exclusion from Reconciliation Report. The Part D Exclusion from Reconciliation Report was described in the January 6, 2014 HPMS memorandum, "Reconciliation PDE Exclusion Process", the April 16, 2014 HPMS memorandum, "Updates to the Reconciliation PDE Exclusion Process", and the December 20, 2019 HPMS memorandum, "Updates to the Part D Potential Exclusion Warning Report and Exclusion Report." The report identifies PDEs that were excluded from the reopening of the 2014 Part D payment reconciliation.

The payment reconciliation reports for reopening will be available in your reconciliation mailboxes at the Customer Service and Support Center (CSSC) on Wednesday, January 29, 2020. If you cannot access these reports, please contact CSSC at 877-534-2772.

Payment adjustments to remit and recover these calculated reconciliation amounts are planned for the March 2020 payment. Payment is contingent on receipt of the "Attestation of Data Relating to CMS Payment to a Medicare Part D Sponsor," which was due by November 4, 2019. See the October 25, 2019 HPMS memorandum, "Attestation of Prescription Drug Event (PDE)

Data and Direct and Indirect Remuneration (DIR) Data related to the 2014 Reopening.” As described in the memorandum, per 42 CFR 423.505(k)(3) and (5), Part D sponsors are required to certify the claims data and allowable costs that they submit for purposes of risk corridor and reinsurance payment. If the attestation has not been received, the payment adjustment will not occur in the March 2020 payment. The payment adjustment will occur after the attestation is received.

All reopening requests received after the 2014 Part D payment reconciliation and prior to the 2014 reopening are now considered to be closed. If, upon review of the 2014 reopening results, a sponsor feels that there is new information for CMS to consider, then a sponsor can submit a reopening request.

Reopening Process

Pursuant to 42 C.F.R. 423.346, CMS may reopen final payment determinations. Part D sponsors can submit requests for reopening, as instructed in the December 29, 2015 HPMS memorandum, “Revised Reopening Request Process and Notification of Overpayment Related to PDE and DIR Data.”

Any questions regarding the reopening process can be sent to the Payment Process Contractor, Acumen, at PartDPaymentSupport@acumenllc.com.

Appeals Process

Pursuant to 42 C.F.R. 423.360, appeals are filed when a plan sponsor does not believe that CMS applied its stated payment methodology correctly. Refer to the reopenings and appeals guidance, which was released through HPMS on May 8, 2008, for additional information on the process for filing an appeal.¹ If you wish to appeal, your request must be filed and received by February 13, 2020. Requests for appeal should be addressed to Jennifer R. Shapiro and emailed to the Payment Process Contractor at PartDPaymentSupport@acumenllc.com.

If you intend to mail your request for reconsideration, submit the request to the Reconciliation Support Contractor at the following address:

Acumen, LLC
Attn: Part D Payment Support
500 Airport Blvd, Suite 365
Burlingame, CA 94010

Thank you.

¹ Note that the reopening process described in the May 8, 2008 HPMS memorandum, *The Part D Reopenings Process and the Part D Appeals Process*, has been updated by the April 6, 2018, June 1, 2017, and December 29, 2015 HPMS memoranda. However, the appeals process described in the May 8, 2008 memorandum is still current and should be followed to file an appeal.