

## Part D Late Enrollment Penalty (LEP)

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### Help Your Clients Cope With a Late Enrollment Penalty (LEP)

Did you know that Medicare beneficiaries might incur a late enrollment penalty (LEP) if there is a continuous break of prescription drug coverage for 63 days or more? This LEP applies when the individual was *eligible* to enroll, but was *not* enrolled, in a Medicare Part D plan and was not covered under any other creditable prescription drug coverage after the end of the individual's Part D initial enrollment period.

“Creditable prescription drug coverage” is coverage that meets Medicare's minimum standards and includes, but is not limited to, one of the following:

- some employer prescription drug coverage, including the Federal Employees Health Benefits Program;
- qualified State Pharmaceutical Assistance Programs;
- military-related coverage; and
- certain Medicare supplemental (Medigap) policies.

The Part D LEP remains with the beneficiary for as long as he/she has Medicare prescription drug coverage. There are limited exceptions, such as when beneficiaries are receiving “extra help” from Medicare.

The plan will notify the member in writing if the company determines the member has had a continuous break in coverage of 63 days or more at any time following his or her initial enrollment period for the Medicare prescription drug benefit. The written notification will include an LEP Reconsideration Notice and an LEP Reconsideration Request Form. The member may use the LEP Reconsideration Request Form to request an appeal of the LEP by completing the form, signing it, and sending it to the Independent Review Entity (IRE), as instructed on the form.

You can review additional details by visiting the [Centers for Medicare & Medicaid/LEP](#) website.

Questions? Contact Medicare Agent Services by phone/email at 1-800-633-4368 or [medicareagentsupport@anthem.com](mailto:medicareagentsupport@anthem.com).

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*This article applies to:*

- Wisconsin, Virginia, Ohio, New York, Nevada, New Hampshire, Missouri, Maine, Kentucky, Indiana, Connecticut, Colorado, and Georgia
- Senior and Medicare