

**Medicare Minute Script – February 2020
Premium-Related Appeals**

Point 1: Understand the Part B late enrollment penalty (LEP) and how to appeal it.

For each 12-month period you delay enrollment in Medicare Part B, you will have to pay a 10% Part B premium penalty, unless you have insurance based on your or your spouse's current work (job-based insurance) or are eligible for a Medicare Savings Program (MSP). In most cases, you will have to pay that penalty every month for as long as you have Medicare. If you are enrolled in Medicare because of a disability, once you turn 65 you will no longer have to pay the premium penalty.

You can appeal your Part B LEP. To appeal, follow the instructions on the notice that you received informing you of the penalty. In order to successfully appeal your penalty, you will need to prove that you were enrolled either in Part B or had coverage through current employment during the relevant period of time. If your appeal is unsuccessful, you will have the right to request a hearing by an administrative law judge (ALJ). Follow the instructions on your appeal denial to request a hearing.

Point 2: Understand the Part D LEP and how to appeal it.

For each month you delay enrollment in Medicare Part D, you will have to pay a 1% Part D late enrollment penalty, unless you:

- Have creditable coverage, meaning coverage that is as good or better than the basic Part D benefit
- Qualify for the Extra Help program
- Prove that you received inadequate information about whether your drug coverage was creditable

In most cases, you will have to pay that penalty every month for as long as you have Medicare. If you are enrolled in Medicare because of a disability and currently pay a premium penalty, once you turn 65 you will no longer have to pay the penalty

You have the right to file an appeal with MAXIMUS regarding their LEP determination. MAXIMUS is the company contracted by Medicare to handle these appeals. You can appeal the penalty (if you think you were continuously covered) or its amount (if you think it was calculated incorrectly). You should complete the appeal form you received from your plan, attach any evidence you have, and mail everything to the address provided on the notice you received.

Point 3: Understand the Part B and D IRMAA and how to appeal them.

The Medicare Income-Related Monthly Adjustment Amount (IRMAA) is an amount you may pay in addition to your Part B and/or Part D premium if your income is above a certain level. Federal law sets income brackets that determine your (or you and your spouse's) IRMAA.

You can ask for a new IRMAA determination. If Social Security determines that you should pay an IRMAA, they will mail you a notice called an initial determination. This notice should include information on how to request a new initial determination. A new initial determination is a revised decision that Social Security makes regarding your IRMAA. You can request that Social Security revisit its decision if you have experienced a life-changing event that caused an income decrease, or if you think the income information Social Security used to determine your IRMAA was incorrect.

Take Action:

1. If you wish to appeal a Part B LEP, follow the instructions on the notice you receive to appeal to the Social Security Administration.
2. If you have a Part D LEP that you want to appeal, follow the instructions on the notice you receive to appeal to MAXIMUS.
3. If you have an IRMAA that you don't believe you should pay, fill out a life-changing event form or make an appointment with Social Security to request a new IRMAA determination.