**Part II of the Advance Notice of Methodological Changes for CY 2019 for Medicare Advantage, Part D and 2019 draft Call Letter**

**Comments on “Proposed Scale Reductions for Appeals IRE Data Completeness Issues”**

**March 2, 2018**

In response to the Proposed Scale Reductions for Appeals IRE Data Completeness Issues, we understand that the proposal is seeking to use the 2016 Timeliness Monitoring Project for calculations of the four Appeals related Star measures. We respectfully request reconsideration of this proposal because we were still in a non-clean period as it remediated the issues identified during its 2015 Program Audit. It is our belief that we and other plans that encounter the same issue will be penalized for a third time due to an issue we have long since corrected and which has passed Independent Validation Audit. We were first penalized in the 2017 Star Ratings with 1-star designations for the four appeals measures based on the 2015 Program Audit findings because the results were reported in 2016. We then received a 1 star designation in the BAPP measure in the 2018 Star Ratings, again as a result of the 2015 Program Audit because the enforcement action and remediation took place in 2016. This resulted in our losing the 4 Star rating it had worked hard to achieve and maintain. And now, if the proposal to use the 2016 data in the 2019 Stars measurement we will be penalized again for the appeal measures. We take our compliance concerns very seriously and have worked very hard to make sure we are in compliance with Medicare Program requirements. We respectfully ask that the proposal to use 2016 data (which is certainly not reflective of current plan performance in this area) be reconsidered due to the disadvantage to plans who have already endured the consequences of noncompliance in this important program area multiple times. We would be supportive of any methodology that more accurately represents plan performance using more recent data. Thank you in advance for your consideration.