



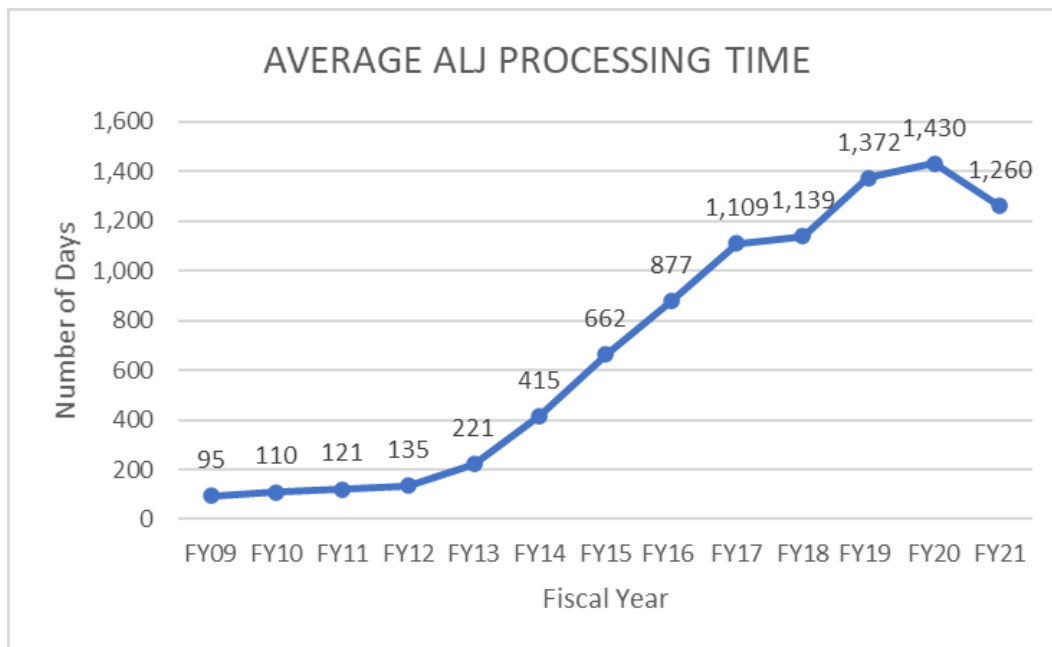
DMEPOS APPEALS REPRESENT 60% OF TOTAL ALJ APPEALS

The Office of Medicare Hearing and Appeals (OMHA) administers the third level of appeals: Administrative Law Judge (ALJ) hearing program. Although DME currently only accounts for about 1% of the total Medicare budget¹, DME is disproportionately represented in the number of appeals sitting at the ALJ. Figures below have been supplied by OMHA or CMS:

- ❖ About 60% of all appeals sitting at the ALJ are from DMEPOS in 2021

NUMBER AND PERCENT BREAKDOWN OF DMEPOS ALJ APPEALS					
	2017	2018	2019	2020	2021
TOTAL DMEPOS APPEALS	291,047	276,285	172,900	74,895	35,217
TOTAL OUTSTANDING APPEALS	578,683	494,490	292,517	165,263	60,062
% OF DMEPOS APPEALS	50%	56%	59%	45%	59%

- ❖ For the first time in over a decade, the wait time for an ALJ hearing went down.



¹ Centers for Medicare and Medicaid Services, National Health Expenditure Data