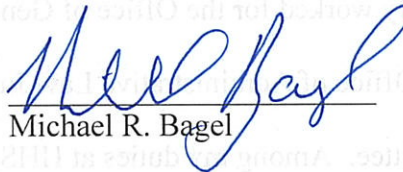


2. Attached as Exhibit 1 is a true and correct copy of the Medicare Appeals Dashboard, which shows the actual volume of appeals at the Office of Medicare Hearings and Appeals (OMHA) and the prior two levels of appeal from the beginning of fiscal year (FY) 2012 through Quarter 1 of FY 2018.

3. As reflected in Exhibit 1, OMHA received only 384 appeals resulting from Recovery Audit Contractor (RAC) overpayment determinations in the first quarter of FY 2018. Similarly, at the prior, Qualified Independent Contractor (QIC)-level of appeal, only 209 RAC appeals were received in the first quarter of FY 2018. On average over the past two years, QICs have denied approximately 59% of appeals at the QIC-level of appeal, and of those denied appeals at the QIC-level, 51% have been appealed to OMHA.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on March 20, 2018 in Washington, D.C.


Michael R. Bagel

