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## 42 C.F.R. § 423.360

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### Reporting and returning of overpayments.

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(a) *Definitions.* For the purposes of this section the following definitions are applicable:

*Applicable reconciliation* means the later of either the annual deadline for submitting—

- (i) PDE data for the annual Part D payment reconciliations referred to in § 423.343(c) and (d); or
- (ii) Direct and indirect remuneration data.

*Funds* for purposes of this section, means any payment that a Part D sponsor has received that is based on data submitted by the Part D sponsor to CMS for payment purposes, including data submitted under § 423.329(b)(3), § 423.336(c)(1), § 423.343, and data provided for purposes of supporting allowable costs as defined in § 423.308 which includes data submitted to CMS regarding direct or indirect remuneration.

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