



Getting You to Settlement



August . 2008

CMS Provides Some Details about the Mandatory Reporting Requirements; Creates Website

The Centers for Medicare & Medicaid Services (CMS), the entity that manages Medicare, has created a website and released some details about the mandatory reporting requirements of Section 111 of the Medicare Medicaid, and SCHIP Extension Act of 2007 (MMSEA). As we previously reported to you, the MMSEA adds new mandatory reporting requirements for group health plans (GHP) and for liability insurance (including self-insurance), no fault insurance, and workers' compensation (the latter three are collectively referred to as "Non-GHP"). The MMSEA will require that the Non-GHP providers report certain details about claims involving Medicare beneficiaries to CMS or face fines of up to \$1,000 per day for failure to comply. The new reporting requirements for Non-GHP go in effect on July 1, 2009. The MMSEA, however, provided few details about the method of the reporting, the information that CMS was going to collect, or the timeframe for reporting.

In order to answer some of these questions, CMS created a website (www.cms.hhs.gov/MandatoryInsRep) and posted a 20 page supporting Statement on August 1, 2008. What CMS has told us is that all of the reporting will be done through an online website that has yet to be created by CMS. Furthermore, CMS has outlined the information that CMS will collect about each claim. (A complete list can be found on our website www.medallocators.com/cmsmemos.php) the Statement indicates that in addition to standard reporting information and optional information, CMS will also be collecting "situational" information that will dependent on the type of claim (WC, auto accident, products liability, etc.) and the type of claim resolution (settlement, judgment etc..)

What CMS has not yet told the industry is the timeframe for reporting. All we know at this time is that the reporting will have to be done within a "reasonable" time. We expect that the timeframe and the new online site will be revealed before the new year because that is when the GHP reporting requirements begin. As usual, MedAllocators will keep you apprised of the changes and details of this very important legislation.

Florida RIMS Conference

Leslie Schumacher, Vice President of Operations, and Michael Merlino, Esq., Compliance Directory, presented at the Florida RIMS conference about the MMSEA on August 1, 2008. Ms. Schumacher and Mr. Merlino discussed strategies for tracking general liability cases and preparing for the reporting requirements that become effective next year.

MedAllocators will also be present at the Florida Workers' Compensation Conference August 17-20 in Orlando Florida. Stop by the MedAllocator booth (#431) which will be staffed with representatives to answer your specific questions about the MMSEA or Medicare Set-asides in general.