



Highlights of December 14, 2011 CMS Teleconference on Section 111 Reporting

The Centers for Medicare and Medicaid Services (CMS) conducted a teleconference on Wednesday, December 14th to provide an update on technical and policy issues in implementation of the requirements of Section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007.

Highlights of the Call Included:

1. CMS is now acknowledging that there have been instances in which COB contractors have erroneously denied Medicare claims based on information said to have been provided from Section 111 reports. One problem appears to be that the contractors are assuming because there is an ORM reported with respect to an individual, that the claim is “open”. Based on this assumption they are denying the claim and instructing the claimant to get a letter to show that the claim is closed. CMS indicated on the call that this procedure is not proper. CMS recently provided instructions to fee for service contractors on this topic. On the call, Jeremy Farquhar (sp?) of CMS asked that if similar situations occur that he can be called for assistance at 1-646-458-6614.
2. The Mass Torts work group that was developing policy related to the treatment of cases of exposure, ingestion and implantation is on the back burner but will be revived at some point.
3. There are no codes for risk management write off reports. The RRE should show the amount of the write off as a payment to themselves. Normal billing practices need not be changed.
4. RREs are reminded that beginning in January there will be annual profile reports that must be filed to validate the authorized representative and the account manager. In addition, RREs have the ongoing responsibility to report changes as they occur and to work with their EDI representative.
5. CMS is planning after full implementation of the Section 111 reporting requirements to use the normal notice of proposed rulemaking process for establishing any penalties. CMS staff was not willing to discuss how it would handle penalties while the rulemaking process was pending or the expected time frames. CMS advised that they were interested in obtaining the reports and not imposing penalties. RREs should follow the User Guide and Alerts.
6. A new updated User Guide will be coming out shortly to incorporate the recent Alerts.

NOTE: THE NOTES ABOVE ARE NOT THE ACTUAL PROVISIONS AND ONLY BRIEF NOTES FROM THE CONFERENCE CALL. REFER TO THE CMS WEB SITE AND THE ALERTS AND USER GUIDE AS THEY ARE PUBLISHED.

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