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**COALITION BACKS LEGISLATION TO CORRECT WORKERS' COMP
PROBLEMS CREATED BY MEDICARE**

WASHINGTON, D.C. – A coalition of attorneys representing injured workers, states, employers, insurance carriers, defense attorneys, and other interested parties applauded the introduction by Rep. John Tanner (D-TN) and Rep. Phil English (R-PA) of bi-partisan legislation (HR 2549) to resolve the serious delays and confusion in the review of workers' compensation Medicare set asides by the Centers for Medicare and Medicaid Services (CMS).

"The 'Medicare Secondary Payer and Workers' Compensation Settlement Act of 2007' will provide the clear and consistent standards now lacking in the CMS process," said Douglas Holmes, President of UWC- Strategic Services on Unemployment and Workers' Compensation (UWC) and coordinator of the Coalition for Medicare Secondary Payer (MSP) Reform.

"CMS takes too long to review proposed set-asides, fails to provide consistent standards for determining amounts to be set aside, and provides no avenue to appeal CMS determinations. The process results in injured workers not receiving funds, additional costs for states and workers' compensation payers, and additional liability for employers, insurance carriers, and attorneys in contravention of the state workers' compensation exclusive remedy principle. A legislative solution to this problem is needed," said Holmes.

“Too often, injured workers bear the brunt of the delays caused by the current system and reforms are needed now. This bill is about process improvement and fair treatment of all parties. We applaud Representatives Tanner and English for taking on this issue,” said Bob DeRose, President-Elect of the Workers Injury Law and Advocacy Group (WILG), the national association of Attorneys representing injured workers in workers’ compensation cases.

“In case after case we hear of delays in approval, uncertainty of the amount to be reimbursed by injured workers, and changes without notice in amounts to be set-aside after settlements have already been approved.” said DeRose.

“The current MSP procedure provides no effective recourse,” Holmes stated. “There is no avenue to compel a timely decision or appeal a bad one. The legislation introduced by Representatives Tanner and English and co-sponsored by Representatives Van Hollen and Reynolds corrects this situation and many other costly problems and delays, for the benefit of all parties involved – most importantly the injured workers.”

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