

Carr Allison Medicare Compliance Group

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August 19, 2015: News and Alerts

Please take a moment to visit our NEW updated website!



www.carrallisonmsa.com

Case File Highlight: Carr Allison Successfully Negotiates \$346,712 MSA Reduction

Recently, we were referred a case from a client who had previously used a non-law firm vendor for the CMS submission process. The vendor had proposed a \$250,166 MSA to CMS. Unfortunately, the MSA drastically increased and CMS issued a determination requiring an MSA of \$551,175. The reason for the increase is that CMS required funds for a very expensive medication, even though the prescribing physician had indicated that it should be discontinued. Despite the evidence supporting the removal of the medication, the non-law firm vendor advised the client that CMS would not agree under any circumstances to reduce the MSA. The vendor had decided it was not worth fighting for the client's interests and did not offer the client any hope for a reduction.

Fortunately, the client consulted with us for a second opinion. Contrary to what the non-law firm vendor said, we advised the client that the circumstances for a successful reduction in the MSA were favorable. All that was needed was for the physician to make a simple correction to a prior treatment record. The client was able to obtain the corrected record and we convinced CMS to remove the medication at issue, reducing the MSA to \$204,463 – a total reduction of \$346,712 and \$45,703 less than what the vendor proposed.

If faced with an increase in the MSA amount from CMS, we highly recommend exploring any possibility for reducing the MSA. Any advice from a non-law firm vendor that an MSA cannot be reduced should be met with caution. As our client reported, "I am glad I did not give into the discouragement I received from the prior provider and happy that I spoke with you about possibly negotiating the MSA with CMS."

If you have received a determination from CMS and the MSA amount seems higher than appropriate, please do not hesitate to contact us.

CMS Alert: Conditional Payment Claim Debt Referral to Treasury Department

CMS issued an alert yesterday regarding a change in the time frame in which outstanding conditional payment debts are referred to the Department of Treasury (DOT) for collection. Beginning October 1, 2015, delinquent debts for both Non-Group Health Plans (including self-insurance, liability, no-fault, and workers' compensation) and Group Health Plans will be referred to the DOT for collection 120 days after payment is due. Currently, debts are referred to the DOT when payment is 180 days past due. This reduction in the timeframe for referral of delinquent debts is an outcome of the Digital Accountability and Transparency Act (DATA Act), which was signed into law in May 2014.

Full alert [here](#).

CMS Reminder: Upcoming Webinar

CMS is hosting a webinar concerning the transition of NGHP recovery activities to The Commercial Repayment Center (CRC).

In order to participate in the webinar, please note the following:

**Date: Tuesday,
August 25, 2015**



Start time: 2:00 PM EST

Registration and webinar logon URL:

<https://event.webcasts.com/starthere.jsp?ei=1071085>

The announcement stated:

"Effective October 2015, the CRC will assume responsibility for the recovery of conditional payments where CMS is pursuing recovery directly from a liability insurer (including a self-insured entity), no-fault insurer or workers' compensation (WC) entity as the identified debtor. The following should be noted regarding the planned workload transition:

- *The transition only includes those cases where CMS is pursuing*

recovery from the liability insurer, nofault insurer or WC entity directly.

- Beneficiaries and their attorneys will continue to work with the BCRC where CMS is pursuing recovery from the beneficiary."

Entire announcement [here](#).

If you have any questions concerning this transition, feel free to call or email and we will be happy to answer them.



Dust off your leg warmers, tease up your hair,
come celebrate the 80's with

Carr Allison at Booth #1025

Be there or be square!!

**Workers' Compensation Institute's
70th Annual Educational Conference
August 23-26 2015, at
Orlando World Center Marriott**

Melisa Zwilling Set to Speak at the National Workers' Comp Conference in November

Ms. Zwilling will be presenting at the **24th Annual National Workers' Compensation and Disability Conference® in Las Vegas, November 11 - 13.**



We are inviting you to join us there and be a part of the nation's leading training event for workers' comp and disability management professionals.

The organizers have given us a special discount to offer you – **\$100.00 off the going rate. To attend at this special discount, just register by Nov. 9 with Promo Code SPKR15.**

Be sure to attend Melisa's session on *MSAs: Getting Them Right to Lower Settlement Costs, Thursday Nov. 12 from 3:30-4:45pm.*

Also stop by **Booth #1025** in the exhibit hall and **register for your chance to win a \$100 Visa Gift Card!**

Additional Updates:

- [New Section 111 User Guide](#)
- [ICD-10 Reminder](#)
- [Eleventh District Court: Dismisses Private Cause of Action](#)
- [CMS: Transition of NGHP Recovery Center](#)

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