



November 15, 2010

**CMS Issues Alert Regarding Revised Reporting Timeline for Liability TPOCs  
and  
Extension of Reporting Thresholds for Liability and Workers' Compensation**

On November 9, 2010, the Centers for Medicare and Medicaid Services (CMS) issued an Alert providing additional information pertaining to Non-Group Health Plans (NGHP) classified as Responsible Reporting Entities (RREs) under Section 111 of the Medicare, Medicaid and SCHIP Extension Act (MMSEA). The Alert addressed changes in the reporting requirements for liability (including self-insurance) Total Payment Obligations to the Claimant (TPOC) as well as an extension of the current reporting thresholds.

CMS announced that the required submission of liability (including self-insurance) TPOC amounts with no Ongoing Responsibility for Medical (ORM) involvement has been changed from the first calendar quarter of 2011 to the first calendar quarter of 2012. Liability ORM reporting is not subject to this delay. The delay applies to liability TPOCs only. The reporting requirements for workers' compensation and no-fault TPOCs have not been changed (reporting remains required in the first quarter of 2011).

Liability TPOCs must be reported if the TPOC date is on or after October 1, 2011. This change only applies to liability TPOCs. The requirement for reporting TPOCs dated on or after October 1, 2010 associated with no-fault and workers' compensation claims remain unchanged.

The reporting date requirements as documented in the User Guide for all NGHP ORM remain unchanged.

Initial Claim Input Files for reportable claims are still due during the RRE's assigned file submission timeframe for the first calendar quarter of 2011. RREs that have reportable claims must commence reporting in first calendar quarter 2011 and then include liability TPOC reporting in the first calendar quarter of 2012 for TPOCs dated on or after October 1, 2011.

An RRE who wishes to report liability TPOC information early may do so during their assigned file submission timeframe prior to the first required submission in the first calendar quarter of 2012. Liability TPOCs dated prior to October 1, 2011 will be accepted on production files submitted prior to 2012 as long as the claim report meets the TPOC reporting thresholds. There will be no penalty associated with the early submission of liability TPOC information as CMS welcomes and encourages early reporting.



## Government Affairs Alert



CMS has also extended all the interim reporting thresholds set forth in Section 11.4 of User Guide Version 3.1 by **one calendar year** as noted below.

For **Workers' Compensation ORM**, the date December 31, 2011 is changed to December 31, 2012.

For **Liability and Workers' Compensation TPOC amounts** the dates are revised as follows:

- Claim reports where the last (most recent) TPOC date is **prior to January 1, 2013** with TPOC amounts totaling \$0 - **\$5,000** are exempt from reporting.
- Claim reports where the last (most recent) TPOC date is **January 1, 2013 through December 31, 2013** with TPOC amounts totaling \$0 - **\$2,000** are exempt from reporting.
- Claim reports where the last (most recent) TPOC date is **January 1, 2014 through December 31, 2014** with TPOC amounts totaling \$0 - **\$600** are exempt from reporting.
- No threshold applies to claims where the last (most recent) TPOC date is **on or after January 1, 2015**.

To view a copy of this CMS Alert [click here](#).

### PMSI Client Support

PMSI is committed to bringing our clients the most current information on MMSEA reporting requirements and offers a complete preparation and compliance program. PMSI will continue to provide guidance as new information is issued by CMS, but RREs may also obtain additional information by attending CMS bi-monthly teleconferences. To access the most recent CMS teleconference schedule [click here](#).

Additional information regarding reporting requirements can be obtained on the MMSEA Section 111 dedicated website at <http://www.cms.gov/MandatoryInsRep/>.

For more information on Medicare Secondary Payer related Government Affairs Alerts, please contact your PMSI Representative, call us at 888.MSA.PMSI or visit the [Knowledge Center](#) section of our website at [www.pmsionline.com](http://www.pmsionline.com).

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