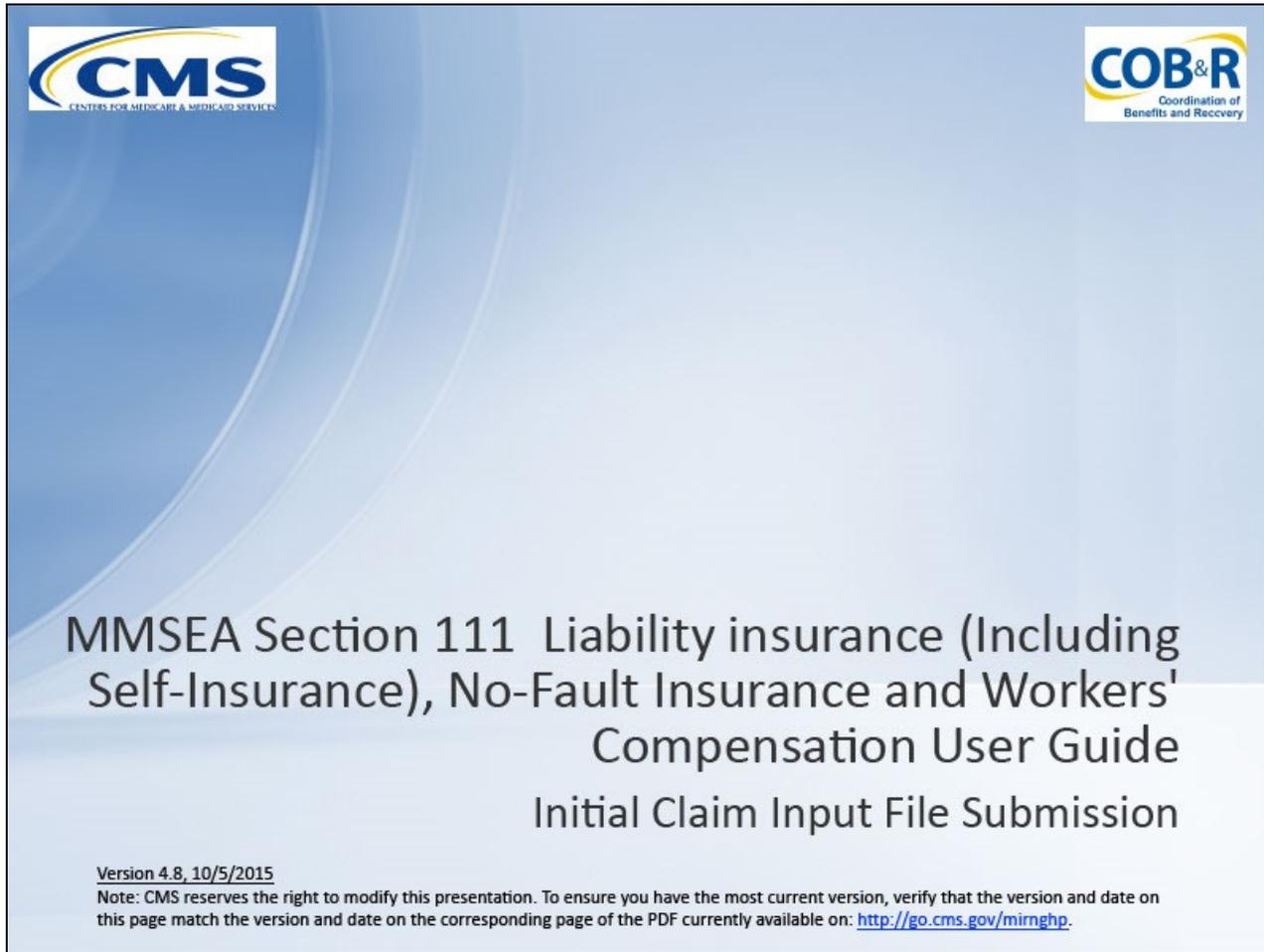


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CMS
CENTERS FOR MEDICARE & MEDICAID SERVICES

COB&R
Coordination of
Benefits and Recovery

MMSEA Section 111 Liability insurance (Including Self-Insurance), No-Fault Insurance and Workers' Compensation User Guide

Initial Claim Input File Submission

Version 4.8, 10/5/2015
Note: CMS reserves the right to modify this presentation. To ensure you have the most current version, verify that the version and date on this page match the version and date on the corresponding page of the PDF currently available on: <http://go.cms.gov/mirngbp>.

Slide notes

Welcome to the Initial Claim Input File Submission course. Note: This module applies to Responsible Reporting Entities (RREs) that will be submitting Section 111 claim information via an electronic file submission as well as those RREs that will be submitting this information via Direct Data Entry (DDE).

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Disclaimer

While all information in this document is believed to be correct at the time of writing, this Computer Based Training (CBT) is for educational purposes only and does not constitute official Centers for Medicare & Medicaid Services (CMS) instructions for the MMSEA Section 111 implementation. All affected entities are responsible for following the instructions found at the following link: <http://go.cms.gov/mirnghp>.

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Course Overview

- Submission Timeframes
- Initial Claim Input File Reporting Requirements
 - Retroactive reporting requirements
- Claim Input File Submittal Examples



* Although information in this CBT pertains to the creation of the electronic Claim Input File, DDE submitters must adhere to essentially the same requirements and submit the same data on the Section 111 COBSW

Slide notes

This module reviews submission timeframes, discusses reporting requirements for the Initial Claim Input File including retroactive reporting requirements and concludes with Claim Input File submittal examples.

Although the information in this CBT pertains to the creation of the electronic Claim Input File, DDE submitters must adhere to essentially the same Section 111 reporting requirements and are also required to submit the same data on the Section 111 Coordination of Benefits Web site (COBSW).

NOTE: Liability insurance (including Self-insurance), No-Fault insurance and Workers' Compensation are sometimes collectively referred to as "Non-Group Health Plan" or "NGHP".

The term NGHP will be used in this CBT for ease of reference.

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Submission Timeframe

RREs were to submit their initial production Section 111 Claim Input File during the first calendar quarter (January-March) of 2011 unless

- RRE had no applicable claim information to report

DDE RREs reporting began on July 11, 2011

RREs were required to commence reporting of liability insurance (including self-insurance) TPOCs with TPOC Dates of 10/1/2011 and subsequent during the first calendar quarter of 2012

Please refer to the Total Payment Obligation to Claimant CBT for clarification on the TPOC Date and TPOC Amount

Slide notes

RREs, excluding those with only liability insurance (including self-insurance) Total Payment Obligation to Claimant (TPOCs) to report, were to submit their initial production Section 111 Claim Input File during the first calendar quarter (January - March) of 2011 during their assigned submission timeframe, unless the RRE had no applicable claim information to report.

For RREs that selected the DDE option, reporting began on July 11, 2011. RREs were required to commence reporting of liability insurance (including self-insurance) TPOCs with TPOC Dates of 10/1/2011 and subsequent according to assigned file submission timeframes during the first calendar quarter (January – March) of 2012.

Please refer to the Total Payment Obligation to Claimant CBT for clarification on the TPOC Date and TPOC Amount.

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Submission Timeframe

- File submitters must submit production Claim Input Files quarterly
 - Unless the RRE has nothing to report for a particular quarter
- RREs are assigned a production live date and a 7-day window for their quarterly file submission
 - Production live date is the first day of your first quarterly submission timeframe
 - Initial Claim Input File must be received inside that 7-day window

Dates	1st Month	2nd Month	3rd Month
01 - 07	Group 1	Group 5	Group 9
08 - 14	Group 2	Group 6	Group 10
15 - 21	Group 3	Group 7	Group 11
22 - 28	Group 4	Group 8	Group 12

- DDE RREs are set to a production status immediately after completing the registration process and must commence production reporting of applicable claims on the Section 111 COBSW

Slide notes

RREs that are file submitters must submit production Claim Input Files on a quarterly basis unless the RRE has nothing to report for a particular quarter.

When you register for Section 111 reporting and select a file submission method, you will be assigned a production live date and a 7-day window for your quarterly file submission.

Your required production live date is the first day of your first quarterly submission timeframe and your initial Claim Input File must be received inside that 7-day window.

Those RREs registering for DDE will be set to a production reporting status immediately after completing the registration process and must commence production reporting of applicable claims on the Section 111 COBSW, including the retroactive reporting described later in this CBT.

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Initial Claim Input File

- Submitted after testing completed
- Contains information for all claims where
 - The injured party is/was a Medicare beneficiary, and
 - Medicals are claimed and/or released (or the settlement, judgment, award, or other payment had the effect of releasing medicals), and which are addressed/resolved (or partially addressed/resolved)
 - Through a no-fault insurance or workers' compensation settlement, judgment, award or other payment with a TPOC Date on or after October 1, 2010, or
 - Through a liability insurance (including self-insurance) settlement, judgment, award or other payment with a TPOC Date on or after October 1, 2011, regardless of the assigned date for your first submission
- Claim reports with earlier TPOC Dates will be accepted

Slide notes

Your Initial Claim Input File is the first Claim Input File you will submit for Section 111 on or about your production live date after you have successfully completed testing.

To begin reporting for Section 111, you must create and send a file that contains information for all claims where the injured party is/was a Medicare beneficiary and medicals are claimed and/or released (or the settlement, judgment, award, or other payment had the effect of releasing medicals) and which are addressed/resolved (or partially addressed/resolved) through a no-fault insurance or workers' compensation settlement, judgment, award or other payment with a TPOC Date on or after October 1, 2010 or through a liability insurance (including self-insurance) settlement, judgment, award or other payment with a TPOC Date on or after October 1, 2011, regardless of the assigned date for your first submission.

Claim reports with earlier TPOC Dates will be accepted but not required.

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Initial Claim Input File

Report on claims for which the RRE has ORM as of 1/1/2010 and subsequent, even if the assumption of responsibility occurred prior to 1/1/2010

- Where assumption of ORM occurred prior to 1/1/2010 and continued on or through 1/1/2010, reporting is required
- ORM in effect on or after 1/1/2010 must be reported even if ORM was terminated prior to your initial reporting date

Please refer to the Ongoing Responsibility for Medicals CBT for clarification on ORM

Slide notes

You must also report on claims for which the RRE has ongoing responsibility for medicals (ORM) as of January 1, 2010 and subsequent, even if the assumption of responsibility occurred prior to January 1, 2010.

Where the assumption of ORM occurred prior to January 1, 2010, and continued on or through January 1, 2010, reporting is required. ORM that was in effect on or after January 1, 2010 must be reported even if ORM was terminated prior to your initial reporting date. Please refer to the Ongoing Responsibility for Medicals CBT for clarification on ORM.

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Mandatory Reporting Thresholds

- CMS has defined interim reporting thresholds for Section 111 reporting only
 - Specific claim reports are exempt from reporting
- For more information
 - Mandatory Reporting Thresholds CBT
 - NGHP User Guide

Slide notes

CMS has defined mandatory reporting thresholds for Section 111 reporting only in regard to specific claim reports that are exempt from reporting.

For more information on this topic, please see the Mandatory Reporting Thresholds CBT and the NGHP User Guide.

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Reporting Exception for Claims with ORM

CMS understands there are circumstances where there may be very old ORM claims that are open for lifetime medicals and applicable law

- CMS has granted an exception for these situations

Slide notes

CMS understands there are circumstances where there may be very old ORM claims that are open for lifetime medicals and applicable law.

Since it would be a large administrative burden on the RRE to go back that far in their claims history databases, CMS has granted an exception for these situations.

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Reporting Exception for Claims with ORM

- Claims where ORM was assumed prior to 1/1/2010
 - If claim was actively closed/removed from current claims before 1/1/2010, RRE not required to identify and report that ORM
- RRE must look back to status of claims as of 1/1/2010
 - If claim was removed prior to 1/1/2010, it does not need to be reported unless it is reopened
 - Claims later reopened with further ORM must be reported with the original CMS DOI
- “Older” ORM claims will not be rejected
- Note: Definition of the CMS DOI differs from the definition generally used by the insurance industry
 - Please see the definition of the Fields 12 and 13 of the Claim Input File Detail Record for more information

Slide notes

For claims where ORM was assumed prior to 1/1/2010, if the claim was actively closed or removed from current claim detail records prior to January 1, 2010, the RRE is not required to identify and report that ORM.

This means that when looking back through claims history to create your initial Claim Input File report to include claims with ORM assumed prior to 1/1/2010, the RRE needs only look back to the status of claims as of 1/1/2010.

If the claim was removed from the RRE’s current/active claim file prior to 1/1/2010, it does not need to be reported unless it is reopened.

However, if this claim is later subject to reopening with further ORM, it must be reported with full information, including the original CMS Date of Incident (DOI) as defined by CMS. RREs may report ORM on claims they consider closed prior to January 1, 2010 at their discretion. “Older” ORM claims will not be rejected.

Note: The definition of the CMS Date of Incident (DOI) differs from the definition of that generally used by the insurance industry under specific circumstances. Please see the definition of the Fields 12 and 13 of the Claim Input File Detail Record in the NGHP User Guide Appendices Chapter (Appendix A) for an explanation.

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Claim Actively Closed Before 1/1/2010 - Example

Claim where Medicare beneficiary injured on 3/5/2009

Under state law, injured party receives lifetime medicals for auto liability

RRE considers this claim closed

- Moves it off file of current open claims on 12/31/2009
- Since the claim was moved prior to 1/1/2010, it doesn't have to be reported (unless it is reopened and there is further activity)

Slide notes

An example of this is a Medicare beneficiary who was injured in an auto accident on 3/5/2009. Under state law, the injured party should receive lifetime medicals for auto liability.

The RRE is obligated to pay for any future related medicals indefinitely for any future issues. The RRE considers this claim closed and moves it off their file of current open claims on 12/31/2009.

Since the claim was moved prior to 1/1/2010, it does not have to be reported (unless it is reopened and there is further activity).

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Claim Actively Closed After 1/1/2010 - Example

- Claim where Medicare beneficiary/injured party/workers' compensation worker sprained ankle on 3/5/2009
- Under state law, all workers' compensation claims must remain open
 - RRE is obligated to pay for any future related medicals
- As of 8/1/2009, no current activity on the claim
- RRE moves it off file of current record on 2/1/2010
 - Since RRE did not actively close this claim before 1/1/2010, RRE legally has a continuing obligation to pay for future related medicals
 - Claim must remain open
 - If RRE receives another related claim, they have to report it

Slide notes

An example of this is where the Medicare beneficiary/injured party/workers' compensation worker sprained his ankle on 3/5/2009. Under state law, all workers' compensation claims must remain open.

The RRE is obligated to pay for any future related medicals indefinitely for any future issues. As of 8/1/2009, there is no current activity on the claim but the RRE does not move it off of their file of current records until 2/1/2010.

Since the RRE did not actively close this claim before 1/1/2010, legally they have a continuing obligation to pay for future related medicals.

Therefore, this claim must remain open. If the RRE receives another related claim, they have to report it.

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Initial Claim Input File

- May be larger than subsequent files since it will contain “retroactive” reporting
 - No-fault insurance and workers’ compensation TPOC Dates on or after 10/1/2010
 - Liability insurance (including self-insurance) TPOC Dates on or after 10/1/2011
 - Assumptions of ORM (for all three insurance types) on or after 1/1/2010
 - Initial reports where ORM was assumed prior to 1/1/2010 and continued at least through 1/1/2010
- All records on initial file will be ‘add’ records with a value of zero in the Action Type

Slide notes

In summary, your initial Claim Input File must contain “retroactive” reporting for: All no-fault insurance and workers’ compensation TPOC Amounts meeting the reporting thresholds with TPOC Dates on or after October 1, 2010; All liability insurance (including self-insurance) TPOC Amounts meeting the reporting thresholds with TPOC Dates on or after October 1, 2011; Assumptions of ORM for no-fault insurance, workers’ compensation and liability insurance (including self-insurance) on or after January 1, 2010; and initial reports of ORM assumed prior to January 1, 2010, that continued at least through January 1, 2010. All records on your initial file will be “add” records and have a value of zero (‘0’) in the Action Type (Field 3).

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TIN Reference File

- Must be submitted prior to or with the initial Claim Input File
- Used to report name and address associated with RRE TIN reported on Claim Input File in Field 52
- All combinations of TIN and Office Code/Site ID on Claim Input File must have corresponding TIN and Office Code/Site ID on TIN Reference File

Slide notes

A Federal Tax Identification Number (TIN) Reference File must be submitted prior to or with the initial Claim Input File.

The TIN Reference File is used to report the full name and address associated with each plan or RRE TIN reported on the Claim Input File Detail Records in Field 52.

All combinations of TIN and Office Code/Site ID submitted in Fields 52 and 53 of the Claim Input File Detail Records must have a corresponding TIN and Office Code/Site ID combination on the TIN Reference File.

Additional information on the TIN Reference File can be found in the TIN Reference File CBT and in the NGHP User Guide.

Following are examples related to your initial Section 111 submission but is not intended as an all-inclusive list of reporting requirements.

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Claim Submittal Example 1a

Medicare beneficiary injured in store (crate falls on head)

Store owner covered by liability insurance policy

One-time payment to beneficiary
No ORM



First Scenario

- Beneficiary files claim, settlement signed on 6/3/2011, no court involvement
- Do not report claim for Section 111
- Liability insurance TPOC Date is prior to 10/1/2011

Slide notes

In our first example, a Medicare beneficiary is injured by a crate falling off a shelf in a retail store. The owner of the store is covered by a general liability insurance policy.

A one-time payment is made to the Medicare beneficiary and the insurer has no ORM for this beneficiary. The beneficiary files a claim with the insurer of the liability policy.

A settlement is signed by both parties on 6/3/2011; there is no court involvement. You do not have to report this claim for Section 111 because the liability insurance TPOC Date is prior to 10/1/2011.

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Claim Submittal Example 1b

Medicare beneficiary injured in store (crate falls on head)

Store owner covered by liability insurance policy

One-time payment to beneficiary
No ORM



Second Scenario

- Beneficiary sues; settlement is signed on 6/3/2011
- Court approval obtained 10/10/2011
- Report claim:
 - Liability TPOC Date on/after 10/1/2011
 - TPOC Amount exceeds reporting threshold for TPOC Date timeframe; greater than \$5,000

Slide notes

Following the same basic facts presented in example 1a, assume that this Medicare beneficiary sues and a settlement for \$10,000 is signed by both parties on 6/3/2011.

The settlement requires court approval, which is not obtained until 10/10/2011. You must report this claim because the liability TPOC Date is on or after 10/1/2011 and the TPOC Amount exceeds the reporting threshold for the TPOC Date timeframe (i.e., the most recent TPOC Date is prior to 1/1/2013 and the total TPOC Amount is greater than \$5,000).

Remember, TPOC Date/information is reportable without regard to responsibility/lack of responsibility for ongoing medicals.

Please see Fields 80 and 81 on the Claim Input File Detail Record for further information on the TPOC Date and Amount.

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Claim Submittal Example 2a

Medicare beneficiary injured on the job 2/15/2009

Beneficiary files WC

WC assumes responsibility for ORM

First Scenario

- Workers' compensation has responsibility for medicals on or after 1/1/2010
- Total payment for medicals to date is \$6,300
- No settlement, judgment, award or other payment aside from ORM
- Report claim, ORM exists as of 1/1/2010 and the workers' compensation ORM reporting threshold is exceeded



Slide notes

A Medicare beneficiary is injured on the job 2/15/2009 and files a workers' compensation (WC) claim. Workers' compensation assumes responsibility (including a requirement to pay pending an investigation) for the associated medicals. The claim is still open and workers' compensation continues to have the responsibility for medicals on or after 1/1/2010. Total payment for medicals to date is \$6,300.

There is no settlement, judgment, award, or other payment aside from the assumption of responsibility for medicals.

Since ongoing responsibility for medicals exists as of 1/1/2010 and the workers' compensation ORM reporting threshold is exceeded because medicals are greater than \$750, the RRE must report.

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Claim Submittal Example 2b

Medicare beneficiary injured on the job 2/15/2009

Beneficiary files WC

WC assumes responsibility for ORM

Second Scenario

- June 23, 2010, beneficiary received judgment/award which left medicals open
- Report claim, ORM exists as of 1/1/2010
- Don't have to report judgment or award because TPOC prior to 10/1/2010



Slide notes

Following the same basic facts presented in example 2a, assume that on June 23, 2010, this Medicare beneficiary received a judgment or award of \$50,000 by the workers' compensation court, which left the medicals open. In this case, the RRE must report the ORM because the medicals existed as of 1/1/2010.

However, they do not have to report the judgment or award because the applicable workers' compensation TPOC Date is prior to 10/1/2010.

If the TPOC information is reported in conjunction with a reportable ORM, the TPOC will not be rejected.

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Claim Submittal Example 3a

Medicare beneficiary injured 9/15/2009 files claim with auto insurer

Insurer opens claim, assumes ORM under "med pay"

Med pay cap reached 12/15/2009

First Scenario

- Do not report; ORM terminated prior to 1/1/2010



Slide notes

A Medicare beneficiary is injured in an automobile accident on 9/15/2009. The beneficiary files a claim with the other driver's insurer (or with his own if it's a no-fault state).

The insurer opens a claim and assumes responsibility for ongoing medicals associated with the claim under the "med pay" portion of the policy (which has a cap of \$5,000) and is considered no-fault insurance.

The med pay cap is reached as of 12/15/2009. For this incident, the RRE is not required to report ORM under Section 111 because the ORM terminated prior to 1/1/2010.

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Claim Submittal Example 3b

Medicare
beneficiary injured
9/15/2009 files
claim with auto
insurer

Insurer opens
claim, assumes
ORM under "med
pay"

Med pay cap
reached
12/15/2009

Second Scenario



- Medicals exceed cap and/or other alleged damages exist
- Insurer settles for \$50,000 under the liability (bodily injury) component of the policy on 10/3/2011
- RRE should report \$50,000 liability TPOC information; TPOC Date after 10/1/2011 exceeds reporting threshold
- Do not report ORM; terminated prior to 1/1/2010

Slide notes

Following the same basic facts presented in example 3a, assume that the Medicare beneficiary's medicals exceed the cap and/or he/she has other alleged damages.

The insurer settles with the beneficiary for \$50,000 under the liability (bodily injury) component of the policy on 10/3/2011.

For this incident, the RRE should report the \$50,000 liability TPOC information because the liability TPOC Date was on or after 10/1/2011 and exceeds the reporting threshold.

The RRE should not report the ORM under Section 111 because the no-fault insurance ORM terminated prior to 1/1/2010. Note: The ORM was terminated when the medicals exceeded the Med pay cap on 12/15/2009.

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Claim Submittal Example 3c

Medicare beneficiary injured 9/15/2009 files claim with auto insurer

Insurer opens claim, assumes ORM under "med pay"

Med pay cap reached 12/15/2009

Third Scenario



- State law requires life-time medicals
- RRE must report no-fault ORM and the liability settlement on separate claim reports by insurance type
 - TPOC Date on/after 10/1/2011
 - TPOC Amount exceeds reporting threshold
- RRE must report ORM; ORM continued after 1/1/2010

Slide notes

For this example, let's assume the same basic facts presented in examples 3a and 3b except that in this case state law requires life-time medicals.

For this incident under Section 111, you must report both the no-fault ORM and the liability settlement on separate claim reports by insurance type.

The RRE must report the \$50,000 TPOC information because the TPOC Date was on or after 10/1/2011 and the TPOC Amount exceeds the reporting threshold for the TPOC Date.

Since the no-fault ORM continued after 1/1/2010, the RRE must report the ORM.

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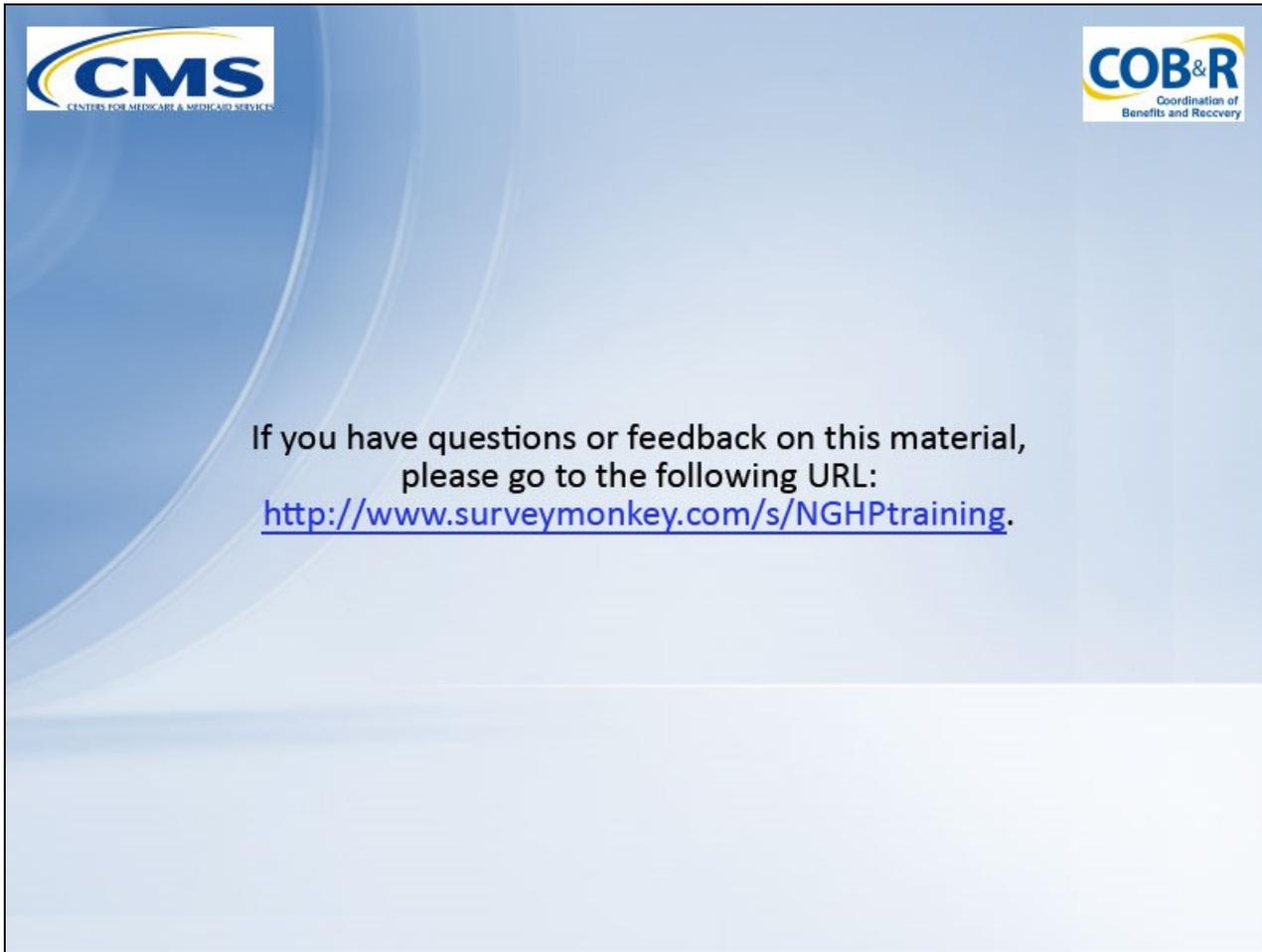
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