



Related MLN Matters Article #: MM3530

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Related Change Request #: 3530

MMA - Revisions to Medicare Appeals Process for Fiscal Intermediaries (CR Title- Appeals Transition – BIPA 521 Appeals)

Key Words

MM3530, CR3530, R1460TN, Appeals, BIPA, MRN, QIC, Redetermination, ALJ Determination, Reconsideration, Dismissals, RA, MMA

Provider Types Affected

All Medicare providers who submit claims to Medicare Fiscal Intermediaries (FIs), including Regional Home Health Intermediaries (RHHIs)

Key Points

- The effective date of instruction varies as noted in MLN Matters article MM3530 and below
- The implementation date is April 25, 2005.
- There is now a new second level of the appeals process for Medicare Part A and Part B claims submitted to Medicare FIs called a reconsideration.
- These revisions do not apply to claims submitted to Medicare Carriers and/or redeterminations processed by carriers.
- These new reconsiderations will be processed by Qualified Independent Contractors (QICs).
- All redeterminations issued by FIs on or after May 1, 2005 will have the right to appeal to a QIC for Part A and Part B claims.
- All redeterminations issued before May 1, 2005 will have the right to appeal to the Administrative Law Judge (ALJ) for Part A claims and to the hearing officer (HO) for Part B claims.
- The key changes to the appeals process are categorized as follows:
 - New Language for Redetermination Letters for Redetermination Decisions Issued On or After May 1, 2005;
 - Redetermination Letters for Fully Favorable Decisions;
 - Extension to the 60-day Decision-Making Time Frame;

- Telephone Requests for Redeterminations of Initial Determinations Made On or After May 1, 2005;
- Additional Information Requirements for Written Redetermination Requests Effective with Initial Determinations Made On or After May 1, 2005;
- Consolidating Requests for Multiple Parties on Redetermination Requests Received On or After May 1, 2005;
- Filing Reconsideration Requests on Redeterminations Issued On or After May 1, 2005;
- Effectuation of QIC Decisions For all Redetermination Made On or After May 1, 2005;
- New Appeal Rights for Medicare Providers & Assignment Rights for Medicare Providers Effective May 1, 2005;
- New Appeal Rights for Overpayments and Reopenings for Revised Initial Determinations Issued On or After May 1, 2005
- New Appeal Rights for Dismissals for All Redeterminations Issued On or After May 1, 2005, including:
 - Appealing a Dismissal,
 - Vacating a Dismissal,
 - Dismissal Letters – Effective date is May 1, 2005, and
 - Incomplete Requests;
- Preparing Case Files for Administrative Law Judge (ALJ) Hearings for All Redeterminations Issued On or After May 1, 2000;
- Effectuation of ALJ Decisions; and
- Redetermination Acknowledgement Letters.

The details of these topics may be found in the reference links below.

Important Links

The related MLN Matters article can be found at

<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM3530.pdf> on the CMS website.

Change Request 3530 is the official instruction issued, regarding these changes, and may be found by going to <http://www.cms.hhs.gov/Transmittals/downloads/R146OTN.pdf> on the CMS website.