



Change in the Amount in Controversy (AIC) Requirement for Administrative Law Judge (ALJ) Hearings and Federal District Court Appeals – JA6295

Related CR Release Date: January 30, 2009

Date Job Aid Revised: February 5, 2009

Effective Date: May 4, 2009

Implementation Date: May 4, 2009

Key Words MM6295, CR6295, R1676CP, Controversy, Hearings, ALJ, Court

Contractors Affected

- Medicare Carriers
- Durable Medical Equipment Medicare Administrative Contractors (DME MACs)
- Fiscal Intermediaries (FIs)
- Part A/B MACs
- Regional Home Health Intermediaries (RHHIs)

Provider Types Affected

Physicians, providers and suppliers submitting claims to Medicare Carriers, DME MACs, FIs, Part A/B MACs, and/or RHHIs for services provided to Medicare beneficiaries



- Change Request (CR) 6295 notifies Medicare contractors of the AIC required to sustain ALJ and Federal District Court appeal rights, beginning January 1, 2009.
- CR6295 modifies the *Medicare Claims Processing Manual* (Publication 100-4, Chapter 29, Section 330.1 and Section 345.1) to update the AIC required for an ALJ hearing or judicial court review.

Provider Needs to Know...

- The amount remaining in controversy requirement for **ALJ** hearing requests made before January 1, 2009, is \$120. The amount remaining in controversy requirement for requests made **on or after January 1, 2009, is \$120.**
- For **Federal District Court** review, the amount remaining in controversy is increased from \$1,180 for requests on or after January 1, 2008, to **\$1,220 for requests on or after January 1, 2009.**

Background The Medicare claims appeal process was amended by the Medicare, Medicaid, and State Children's Health Insurance Program Benefits Improvement and Protection Act of 2000.

**Operational
Impact** N/A

**Reference
Materials** The related MLN Matters article can be found at
<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6295.pdf> on the CMS website.

The official instruction (CR6295) issued regarding this change may be found at
<http://www.cms.hhs.gov/Transmittals/downloads/R1676CP.pdf> on the CMS website.
