



Systems Changes Necessary to Implement the Patient Protection and Affordable Care Act (PPACA) Section 6404 - Maximum Period for Submission of Medicare Claims Reduced to Not More Than 12 Months – JA6960

Related CR Release Date: May 7, 2010

Date Job Aid Revised: May 11 2010

Effective Date: January 1, 2010

Implementation Date: October 4, 2010

Key Words	MM6960 CR6960, R6970TN, PPACA
Contractors Affected	<ul style="list-style-type: none"> • Medicare Carriers • Fiscal intermediaries (FIs) • Part A/B Medicare Administrative Contractors (A/B MACs) • Durable Medical Equipment MACs (DME MACs) • Regional Home Health Intermediaries (RHHIs)
Provider Types Affected	Physicians, providers, and suppliers submitting claims to Medicare Carriers, DME MACs, FIs, A/B MACs, and/or RHHIs for services provided to Medicare beneficiaries



- Change Request (CR) 6960 announces that the Centers for Medicare & Medicaid Services (CMS) is updating edit criteria related to the timely filing limits for submitting claims for Medicare Fee-for-Service (FFS) reimbursement.
- As a result of the PPACA, claims with dates of service on or after January 1, 2010, received later than one calendar year beyond the date of service will be denied by Medicare.

Provider Needs to Know...	<ul style="list-style-type: none"> • Medicare contractors are adjusting (as necessary) their relevant system edits to ensure that: <ul style="list-style-type: none"> • Claims with dates of service prior to October 1, 2009, will be subject to pre-PPACA timely filing rules and associated edits; • Claims with dates of service October 1, 2009, through December 31, 2009, received after December 31, 2010, will be denied as being past the timely filing deadline and;
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- Claims with dates of service January 1, 2010, and later received more than one calendar year beyond the date of service will be denied as being past the timely filing deadline.

NOTE: For claims for services that require the reporting of a line item date of service, the line item date is used to determine the date of service. For other claims, the claim statement's "From" date is used to determine the date of service.

Exceptions to Time Limit for Filing Claims

- Section 6404 of PPACA gives CMS the authority to specify exceptions to the one calendar year time limit for filing claims.
- Currently, there is one exception found in the timely filing regulations at 42 Code of Federal Regulations (CFR), Section 424.44(b)(1), for "error or misrepresentation" of an employee, Medicare contractor, or agent of the Department that was performing Medicare functions and acting within the scope of its authority.
- If CMS adds additional exceptions or modifies the existing exception to the timely filing regulations, specific instructions will be issued at a later date explaining those changes.

Background

- Sections 1814(a), 1835(a)(1), and 1842(b)(3) of the Social Security Act as well as the 42 CFR Section 424.44 specify the timely filing limits for submitting claims for Medicare FFS reimbursement.
- Prior to PPACA, the regulations stated the service provider or supplier must submit claims for services furnished during the first nine (9) months of the calendar year on or before December 31st of the following calendar year.
- For services rendered during the last quarter of the calendar year, the provider or supplier must submit the claim on or before December 31st of the second following year.
- Section 6404 of PPACA amended the timely filing requirements to reduce the maximum time period for submission of all Medicare FFS claims to one calendar year after the date of service.
- Additionally, this section mandates that all claims for services furnished prior to January 1, 2010, must be filed with the appropriate Medicare claims processing contractor no later than December 31, 2010.

**Operational
Impact**

N/A

**Reference
Materials**

The related MLN Matters® article can be found at
<http://www.cms.gov/MLN MattersArticles/downloads/MM6960.pdf> on the CMS website.

The official instruction (CR6960) issued regarding this change may be viewed at
<http://www.cms.gov/Transmittals/downloads/R6970TN.pdf> on the CMS website.
