

Office of Clinical Standards and Quality/ Survey & Certification Group

Ref: S&C: 12-16-ALL

DATE: December 23, 2011

TO: State Survey Agency Directors

FROM: Director
Survey and Certification Group

SUBJECT: Survey and Certification Responsibilities Related to Provider Enrollment Revocations

Memorandum Summary

- **Termination of Provider Agreement Upon Revocation:** Revocation of a provider's billing privileges in the Medicare program automatically results in termination of the associated provider agreement, according to regulations at 42 CFR 424.535(b), for all provider types.
- **Centers for Medicare & Medicaid Services (CMS) Regional Office Role:** This memo outlines the responsibilities of the Regional Office (RO) when the Medicare Administrative Contractor/Fiscal Intermediary (MAC/FI) issues a notice of revocation to a provider.

Background: Regulations at §424.535(b) state that when a provider's or supplier's billing privileges are revoked, the provider agreement in effect at the time of revocation is terminated, effective with the date of revocation.

Process: The MAC/FI will send a copy of the revocation letter to the RO Division of Survey & Certification (DSC) corporate mailbox and stipulate the effective date of revocation. This letter will include all appeal rights available to the provider pursuant to the revocation, per §424.545 (a) (ii), including the opportunity for the provider to submit a request for reconsideration to the Provider Enrollment Operations Group (PEOG) in Baltimore. Provider questions received by the State Survey Agency (SA) or CMS RO concerning the notification of revocation or the associated appeal processes should be directed to the applicable MAC/FI. The PEOG will notify the applicable RO and the Survey and Certification Group of all reversals as a result of reconsideration.

The RO will hold termination action for 150 days to enable the provider enrollment reconsideration process to be completed. If, by the end of that period, the RO has not received notification that the revocation was reversed through the reconsideration process, the RO will verify with the MAC/FI that the revocation is still effective and begin termination procedures. Please see attached list of MAC/FI contacts.

The RO will follow the routine procedures for the termination of the provider agreement as directed in the State Operations Manual (SOM) and at §489.53.

The notification of the termination will include language that the provider agreement is being terminated pursuant to the revocation of the provider's enrollment per §424.535 and retroactive to the date of revocation. The letter will provide usual appeal opportunities.

The RO will provide concurrent notice to the public, as required by §489.53, informing that in 15 days the Medicare agreement for this facility will be terminated retroactive to the date of revocation. The RO will send a tie-out notice (Form CMS-2007) to the MAC/FI indicating an involuntarily termination and noting the termination date as the revocation date. The RO will terminate the provider in the Automated Survey Processing Environment (ASPEN) with a termination code of 6 – failure to meet agreement.

The RO will notify the State on all revocations and pending terminations. However, until termination, which will not occur until 150 days after the notice of revocation, the SA must proceed with all scheduled and complaint surveys. Prior to the SA performing a survey the RO/SA will discuss the case to determine the status of the revocation process.

Effective Date: This guidance is effective immediately. Please ensure that all appropriate staff is fully informed within 30 days of the date of this memorandum.

Training: This policy should be shared with all survey and certification staff, their managers and the State/RO training coordinator.

/s/

Thomas E. Hamilton

Attachments:

- (a) Provider Notice
- (b) Public Notice
- (c) MAC/FI Contacts

cc: Survey and Certification Regional Office Management

Survey and Certification Issues Related to Provider Enrollment “Revocations”.

Model Template for 15 day provider notice with reference to §424.545(a)(ii) and Sec. 489.53 Termination by CMS.

[Date]

Re: CMS Certification Number (CCN): XX-XXXX

Provider Name

Address

City, State ZIP

Dear [Administrator]:

The Centers for Medicare & Medicaid Services (CMS) has been notified by [Name of MAC] that the Medicare billing privileges for [Name of provider] have been revoked, pursuant to 42 CFR 424.545(a). This action also terminates your corresponding Medicare provider agreement per 489.53.

Your provider agreement is terminated retroactive to the date of revocation of your Medicare enrollment [date]. We will publish a public notice in the [name of paper].

If you believe this action is not correct, please refer to the letter which was sent to you on [insert date] from [Name of MAC] notifying you of the revocation of your Medicare enrollment. This letter included your rights to appeal.

If you have any questions, please contact me at XXX.XXX.XXXX or [first, last]@cms.hhs.gov.

Sincerely,

XXXXXXXXXXXXX

Manager [Name of Branch]

cc: [Name of MAC]
Provider Enrollment Operations Group, CMS Baltimore
[Name of State survey agency]

Model Template for Public Notice Revocation

MEDICARE NOTICE TO THE PUBLIC

Notice is hereby given that on (15 days from the notice) the agreement between (Name, City and State) and the Secretary of Health and Human Services, as a (provider Type) in the Medicare program will be terminated retroactive to (date of the revocation) pursuant to revocation of billing privileges based on 42CFR 424.535.

The Centers for Medicare & Medicaid Services has determined that (name of provider) is no longer in compliance with the requirements for enrollment and participation in the Medicare program (Title XVIII of the Social Security Act).

The Medicare program will not make payment for covered services furnished to patients at (name of provider) on or after (Date of revocation).

Name

ARA
Certification & Enforcement Branch

Contractor Name/Number	DPSE Contractor Liaison	Contract Manager Name, Phone #, and Internet address)	Back up Contact Manager Name, Phone #, and Internet address)
J 13 NGS (13101, 13201)	Alisha Banks	Dave Neiheisel (513) 419-3628 Dave.Neiheisel@wellpoint.com	Theodore Kavanaugh (315) 442-4983 Theodore.Kavanaugh@wellpoint.com
J13 NGS (13102, 13202, 13282, 13292)	Alisha Banks	Jill Parker (717) 565-3728 Jill.Parker@wellpoint.com	Tamara Cooksey (717) 565 -3498 Tamara.Cooksey@wellpoint.com
NGS.Anthem (130, 131, 160, 332)	Alisha Banks	Dave Neiheisel (513) 419-3628 Dave.Neiheisel@wellpoint.com	Sandra Brown (513)-419-3678 Sandra.Brown@wellpoint.com
NGS/United Government Services (450, 452, 453)	Alisha Banks	Dave Neiheisel (513) 419-3628 Dave.Neiheisel@wellpoint.com.com	Chris Troesch, WI 414-459-6950 Christine.Troesch@wellpoint.com
NGS/AdminaStar (456)	Alisha Banks	Dave Neiheisel (513) 419-3628 Dave.Neiheisel@hem.com	Sandra Brown (513)-419-3678 Sandra.Brown@anthem.com
NGS/AdminaStar (630, 660)	Alisha Banks	Kim Dooley (317) 913-6527 Kim.Dooley@wellpoint.com	Kyra Blair, IN & KY (317) 595-4892 Kyra.Blair@wellpoint.com
Highmark Medicare Services (J12)	Nannette Hardouin	Debra Jones (717) 302-4288 debra.jones@highmarkmedicareservices.com	Cindy White (717) 302-4268 cindy.white@highmarkmedicareservices.com
Cahaba (Mississippi) Legacy	Andrew Stouder	Melanie Widman Melanie.widman@cahabagba.com 205.220.9471	Vince Cook (205) 220-1249 Vince.Cook@cahabagba.com Kay Dodd (205) 220-1456 Kay.Dodd@cahabagba.com
Cahaba (J10)	Andrew Stouder	Melanie Widman Melanie.widman@cahabagba.com 205.220.9472	Vince Cook (205) 220-1249 Vince.Cook@cahabagba.com Kay Dodd (205) 220-1456 Kay.Dodd@cahabagba.com
Cahaba (J10)	Andrew Stouder	Larry Parton lparton@cahabagba.com 205.220.1692	
RHHI (J15)	Nannette Hardouin	Pam Anderson pamela.anderson@rgbagov.com 515.471.7463	
TrailBlazer Health (J4)	Andrew Stouder	Forence Ng (469) 372-6486 Florence.Ng@trailblazerhealth.com	Lou Ann Otts (469) 372-1057 Lou.Otts@trailblazerhealth.com

TrailBlazer Health (J4)	Andrew Stouder	Ken Kerns (469) 372-0175 Ken.Kerns@trailblazerhealth.com	Sheryl Manis 469-372-0612 Sheryl.Manis@trailblazerhealth.com Leslie Bewley 903-463-0619 LESLIE.BEWLEY@trailblazerhealth.com Jackie Fox 903-463-9221 Jackie.Fox@trailblazerhealth.com Virginia Rhodes 903-463-8191 Virginia.Rhodes@trailblazerhealth.com
CGS (J15) Part B Idaho/N. Carolina & Tennessee	Nannette Hardouin	Shirley Roberts (615) 782-4611 Shirley.Roberts@CIGNA.com	Karen Hughes (615) 782-4585 Karen.Hughes@cigna.com Judy Martin (615) 782-4422 Judy.Martin@cigna.com Phyllis White (615) 792-4484 Phyllis.White@cigna.com
Palmetto GBA (J11)	Connor Beck	Teresa Newton (803) 763-5548 Teresa.Newton@palmettogba.com	Sandy Boyer (614) 473-7138 Sandy.Boyer@palmettogba.com
Wisconsin Physician Services (951, 952, 953, 954, 05102, 05202, 05302 & 05402)	Cheryl Brown	Kim Richmond, Legacy & Mac J5 608 -301-2783 Kim.Richmond@wpsic.com Richard Jobin, Legacy 952- 885-2921 Richard.Jobin@wpsic.com	Jan Warner, Legacy & Mac J5 608-301-2701 Janice.Warner@wpsic.com Angie Mitchell, Legacy & Mac J5 608-301-2833 Angela.Mitchell@wpsic.com Theresa Dahlk, Legacy & Mac J5 608-301-2890 Theresa.Dahlk@wpsic.com Joanne Hall, Legacy 952-885-2989 Joanne.Hall@wpsic.com
Wisconsin Physician Services (52280)(05101, 05201, 05301 & 05401)	Cheryl Brown	Nic Chesnut (402) 995-0332 nic.chesnut@wpsic.com	Catherine Hughes (402) 995-0335 Catherine.Hughes@wpsic.com Kim Richmond, WI (608) 301-2783 kim.richmond@wpsic.com
Noridian (J3 and 320 & 322)	Alisa Overgaard	Scott Oien (701) 277-5201 scott.oien@noridian.com	Alana Brekken (701) 277-6608 alana.brekken@noridian.com
Noridian (821)	Alisa Overgaard	Scott Oien (701) 277-5201 scott.oien@noridian.com	Alana Brekken (701) 277-6608 alana.brekken@noridian.com

Palmetto GBA (J1)	Connor Beck	Craig Domanik (904) 791-6165 craig.domanik@fcso.com	Cindy Perrone (904) 791-8294 cindy.perrone@fcso.com
First Coast Service Options (J9)	Connor Beck	Marian Love (904-791-6771) Marian.Love@fcso.com	JoAnne Kacena (904) 791-6508 Joanne.Kacena@fcso.com
NHIC (J14)	Andrew Stouder	Carlene Vitello (781) 741-3213 carlene.vitello@eds.com	Deborah Davis (781) 741-3173 deborah.davis@eds.com
Pinnacle (233)	Alisa Overgaard	David W Couvillon (225) 231-2109 DWCOUVILLON@pinnaclebsi.com	Pam Wilson (601) 899-6746 pbwilson@lamsmedicare.com
Pinnacle (20/21)	Alisa Overgaard	David W Couvillon (225) 231-2109 DWCOUVILLON@pinnaclebsi.com	Pam Wilson (601) 899-6746 pbwilson@lamsmedicare.com
Pinnacle (520, 524, 528) Arkansas, Rhode Island, Louisiana	Alisa Overgaard	David W Couvillon (225) 231-2109 DWCOUVILLON@pinnaclebsi.com	Monica Bates (225) 231-2141 mlbates@pinnaclebsi.com
National Supplier Clearinghouse	Barry Bromberg	Nancy Parker 803 763-6800 Nancy.Parker@palmettoGBA.com	Anthony Rogers 803 763-5319 Anthony.Rogers@palmattogab.com

Last updated - 12/14/2011