

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Centers for Medicare & Medicaid Services



NEW products from the Medicare Learning Network® (MLN)

- [Medicaid Program Integrity: What Is a Prescriber's Role in Preventing the Diversion of Prescription Drugs?](#), Fact Sheet, ICN 901010, downloadable

MLN Matters® Number: MM8588

Related Change Request (CR) #: CR 8588

Related CR Release Date: April 11, 2014

Effective Date: July 14, 2014

Related CR Transmittal #: R2926CP

Implementation Date: July 14, 2014

## **Chapter 29 Appeals Update (Includes Post-DOMA Guidance and Signature Requirement for Appointment of Representatives and Assignment of Appeal Rights)**

### **Provider Types Affected**

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This MLN Matters® Article is intended for physicians, providers, and suppliers who submit claims to Medicare Administrative Contractors (MACs), including Durable Medical Equipment (DME) MACs and Home Health and Hospices (HH&H) MACs for services provided to Medicare beneficiaries.

### **Provider Action Needed**

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This article is based on Change Request (CR) 8588, which updates the "Medicare Claims Processing Manual" (Chapter 29 (Appeals of Claims Decisions)) with various policy clarifications. Make sure that your billing staffs are aware of these updates.

#### **Disclaimer**

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## Background

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Change Request (CR) 8588 revises the "Medicare Claims Processing Manual" (Publication 100-04, Chapter 29 (Appeals of Claims Decisions)) and adds various policy clarifications regarding appeals of claims decisions. These revisions include:

- A definition of spouse following the June 2013 Supreme Court ruling that invalidated Section 3 of the Defense of Marriage Act (DOMA) (Section 110);
- Clarification of existing instructions regarding:
  - The submission of appointment of representative written instruments (Section 270.1.3);
  - The handling and reporting of defective or missing appointment instruments (Section 270.1.6); and
  - Signature requirements for appointment of representative instruments (Section 270.1.2).

A copy of the revised "Medicare Claims Processing Manual" (Chapter 29 (Appeals of Claims Decisions)) is included as an attachment to CR 8588.

## Additional Information

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The official instruction, CR 8588, issued to your MAC regarding this change is available at <http://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/Downloads/R2926CP.pdf> on the CMS website.

If you have any questions, please contact your MAC at their toll-free number, which is available at <http://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/Medicare-FFS-Compliance-Programs/Review-Contractor-Directory-Interactive-Map/> on the CMS website.

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