

CMS Manual System	Department of Health & Human Services (DHHS)
Pub 100-20 One-Time Notification	Centers for Medicare & Medicaid Services (CMS)
Transmittal 1522	Date: July 31, 2015
	Change Request 9193

SUBJECT: Data Act Treasury Referral Timeframe and Reporting - DME MAC Changes

I. SUMMARY OF CHANGES: This change request reduces the timeframe to refer debts to Treasury from over 180 days delinquent to now over 120 days delinquent.

EFFECTIVE DATE: August 31, 2015

**Unless otherwise specified, the effective date is the date of service.*

IMPLEMENTATION DATE: August 31, 2015

Disclaimer for manual changes only: The revision date and transmittal number apply only to red italicized material. Any other material was previously published and remains unchanged. However, if this revision contains a table of contents, you will receive the new/revised information only, and not the entire table of contents.

II. CHANGES IN MANUAL INSTRUCTIONS: (N/A if manual is not updated)

R=REVISED, N=NEW, D=DELETED-Only One Per Row.

R/N/D	CHAPTER / SECTION / SUBSECTION / TITLE
N/A	N/A

III. FUNDING:

For Medicare Administrative Contractors (MACs):

The Medicare Administrative Contractor is hereby advised that this constitutes technical direction as defined in your contract. CMS does not construe this as a change to the MAC Statement of Work. The contractor is not obligated to incur costs in excess of the amounts allotted in your contract unless and until specifically authorized by the Contracting Officer. If the contractor considers anything provided, as described above, to be outside the current scope of work, the contractor shall withhold performance on the part(s) in question and immediately notify the Contracting Officer, in writing or by e-mail, and request formal directions regarding continued performance requirements.

IV. ATTACHMENTS:

One Time Notification

Attachment - One-Time Notification

Pub. 100-20	Transmittal: 1522	Date: July 31, 2015	Change Request: 9193
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SUBJECT: Data Act Treasury Referral Timeframe and Reporting - DME MAC Changes

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I. GENERAL INFORMATION

A. Background: Under the Digital Accountability and Transparency Act (DATA Act), Pub. L. 113-101, section 5 of the DATA Act amends 31 U.S.C. 3716(c)(6) to read as follows:

1. Any Federal agency that is owed by a person a past due, legally enforceable nontax debt that is over 120 days delinquent, including nontax debt administered by a third party acting as an agent for the Federal Government, shall notify the Secretary of the Treasury of all such nontax debts for purposes of administrative offset under this subsection.

This change request reduces the timeframe to refer debts to Treasury from over 180 days delinquent to now over 120 days delinquent. A debt is considered delinquent if not paid in full 31 days after the demand letter date.

Example:

Debt from demand letter date:

Day 1 Initial Demand Letter Sent

Day 31 Debt is Delinquent/Interest Starts

Day 41 Recoupment Starts

Day 90 Intent to Refer Letter Sent

Day 120 Surety Bond Letter Sent

Day 150 Referral to Treasury

B. Policy: Currently, Durable Medical Equipment Medicare Administrative Contractors (DME MACs) refer delinquent debts to Treasury when they are over 180 days delinquent. This change request will implement changes to comply with new instructions as outlined in the DATA Act. As noted, the timeframe for referrals to Treasury will now be reduced from over 180 days to over 120 days delinquent. The new requirement will alter the timeframe for the generation of the Intent to Refer (ITR) letter, changing the ITR letter to be generated when the debt is 60 days delinquent. This will allow the debt to be referred to Treasury by 120 days delinquent.

II. BUSINESS REQUIREMENTS TABLE

"Shall" denotes a mandatory requirement, and "should" denotes an optional requirement.

Number	Requirement	Responsibility
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		A/B MAC			D M E M A C	Shared- System Maintainers				Other
		A	B	H H H		F I S S	M C S	V M S	C W F	
9193.1	The DME MACs shall generate the ITR letter when the debt is 60 days delinquent (90 days old).				X					
9193.2	The DME MACs shall send the surety bond letter by the time the debt is 90 days delinquent (120 days old).				X					
9193.3	The DME MACs shall manually track the new aging buckets as identified in the attachment.				X					
9193.4	The DME MACs shall enter the data into the CAFM Remarks field to accommodate the required reporting using existing VMS reports.				X					

III. PROVIDER EDUCATION TABLE

Number	Requirement	Responsibility			
		A/B MAC			D M E M A C
		A	B	H H H	
	None				

IV. SUPPORTING INFORMATION

Section A: Recommendations and supporting information associated with listed requirements: N/A

"Should" denotes a recommendation.

X-Ref Requirement Number	Recommendations or other supporting information:

Section B: All other recommendations and supporting information: N/A

V. CONTACTS

Pre-Implementation Contact(s): Theresa Carter, 410-786-7482 or theresa.carter@cms.hhs.gov

Post-Implementation Contact(s): Contact your Contracting Officer's Representative (COR).

VI. FUNDING

Section A: For Medicare Administrative Contractors (MACs):

The Medicare Administrative Contractor is hereby advised that this constitutes technical direction as defined in your contract. CMS does not construe this as a change to the MAC Statement of Work. The contractor is not obligated to incur costs in excess of the amounts allotted in your contract unless and until specifically authorized by the Contracting Officer. If the contractor considers anything provided, as described above, to be outside the current scope of work, the contractor shall withhold performance on the part(s) in question and immediately notify the Contracting Officer, in writing or by e-mail, and request formal directions regarding continued performance requirements.

ATTACHMENTS: 1

CR 9193 ATTACHMENT:

Current TROR Aging Categories				New TROR Aging Categories				Current CAFM	
Section C Delinquent Debt (Excluding CNC)				Section C Delinquent Debt (Excluding CNC)				Total Delinquent	
(1) Delinquencies by Age				(1) Delinquencies by Age				1 - 30	
(A) 1-90 Days (+)				(A) 1-30 Days (+)				31 - 60	
(B) 91-180 Days (+)				(B) 31-60 Days (+)				61 - 90	
(C) 181-365 Days (+)				(C) 61-90 Days (+)				91 - 180	
(D) 1-2 Years (+)				(D) 91-120 Days (+)				181 - 365	
(E) 2-6 Years (+)				(E) 121-150 Days (+)				1 - 2 years	
(F) 6-10 Years (+)				(F) 151-180 Days (+)				2 - 6 years	
(G) Over 10 Years (+)				(G) 181 365 Day (+)				6 - 10 years	
(H) Total Delinquencies by Age				(H) 1-2 Years (+)				> 10 years	
				(I) 2-6 Years (+)					
				(J) 6-10 Years (+)					
				(K) Over 10 Years (+)					
				(L) Total Delinquencies by Age					