



Office of Financial Management/Financial Services Group

December 29, 2009

**The Medicare Secondary Payer Mandatory Reporting Provisions in
Section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007 (the MMSEA)
(See 42 U.S.C. 1395y(b)(7)&(b)(8))**

**ALERT: Registration Guidance for Liability Insurance
(Including Self-Insurance), No-Fault Insurance, or Workers' Compensation
Responsible Reporting Entities (RREs) Who Are Foreign Entities**

For purposes of this Alert, a foreign entity is defined as an entity that does not have a U.S. address and/or a U.S. Tax Identification Number (TIN) or Employer Identification Number (EIN).

Currently, foreign entities that do not have a U.S. address and/or a U.S. TIN or EIN cannot register through the Coordination of Benefits of Secure Website (COBSW) and report under MMSEA Section 111. CMS encourages foreign entities that do not have a U.S. TIN or EIN to apply at this time for a U.S. EIN by completing the Internal Revenue Service (IRS) SS-4 Application.

To accommodate foreign entities that do not have a U.S. address and/or a U.S. TIN or EIN, CMS is modifying the existing registration process. Foreign entities are not required to register until **April 1, 2010**.

Please continue to check the CMS dedicated webpage (<http://www.cms.hhs.gov/MandatoryInsRep/>) for an updated version of the MMSEA Section 111 NGHP User Guide as additional registration and reporting guidelines will be found there.

Note: Foreign entities will follow the same registration and reporting procedures, and have the same responsibility and accountability for data as domestic RREs. The delay in registration for foreign entities does not change the July 1, 2009 reporting date requirements associated with "Ongoing Responsibility for Medicals" (ORM) or the January 1, 2010 reporting date requirements associated with "Total Payment Obligation to Claimant" (TPOC) amounts.