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# CMS Manual System

## Pub. 100-20 One-Time Notification

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Department of Health & Human  
Services (DHHS)  
Centers for Medicare &  
Medicaid Services (CMS)

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Transmittal 137

Date: JANUARY 28, 2005

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CHANGE REQUEST 3598

**SUBJECT: Instructions to contractors regarding aged, pre-settlement cases and Inter-Contractor Notices (ICN)s**

**I. SUMMARY OF CHANGES:** This change request provides instructions to non-lead contractors on how to store aged, pre-settlement liability, Workers' Compensation (WC) and auto/no fault cases that are 3 years or older, and instructions to contractors on ReMAS regarding ICNs.

**NEW/REVISED MATERIAL - EFFECTIVE DATE: February 28, 2005**

**IMPLEMENTATION DATE: February 28, 2005**

*Disclaimer for manual changes only: The revision date and transmittal number apply to the red italicized material only. Any other material was previously published and remains unchanged.*

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

**(R = REVISED, N = NEW, D = DELETED) – (Only One Per Row.)**

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

**III. FUNDING: Medicare contractors shall implement these instructions within their current operating budgets.**

**IV. ATTACHMENTS:**

	<b>Business Requirements</b>
	<b>Manual Instruction</b>
	<b>Confidential Requirements</b>
<b>X</b>	<b>One-Time Notification</b>
	<b>Recurring Update Notification</b>

# Attachment – One-Time Notification

Pub. 100-20	Transmittal: 137	Date: January 28, 2005	Change Request 3598
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**SUBJECT: Instructions to Contractors regarding aged, pre-settlement cases and Inter-Contractor Notices (ICN)s.**

1. Non-lead contractors' aged, pre-settlement liability, Workers' Compensation (WC) and auto/no fault cases on which there has been no correspondence received from either an attorney or other interested party for 3 years or longer shall be stored at the offices of the contractors in an easily accessible place.
  2. Contractors on ReMAS shall stop sending Inter-Contractor Notices (ICN) to other contractors. Any ICNs received from a contractor on ReMAS are to be destroyed. Further, such ICNs shall not be counted as correspondence workload.
  3. Contractors having received ICNs, and have not processed them, should shred them.
- 3a. **Exception:** If a contractor receives ICNs from FCSO prior to December 8, 2004, they shall respond. Contractors responding to FCSO ICN requests shall track the volume and cost and funding will be made available.

## **I. GENERAL INFORMATION**

- A. Background:** Implementation of the ReMAS system affords contractors the ability to enter (manually) established (back logged) liability, WC and auto/no fault cases that have not reached settlement status into ReMAS and then gather claims information through ReMAS rather than through the ICN process. It is asserted that pre-settlement cases, 3 years or older, are not likely to net a recovery. The non-lead contractors initially were asked to analyze such cases and make a determination, with the assistance of the RO, as to the viability of said cases. After considering budgetary concerns that have been raised, it has been decided that all pre-settlement cases, 3 years or older, shall be retained and stored at the offices of the current non-lead contractors. These cases shall be readily available for transfer to the lead fiscal intermediary if, or when, subsequent inquiries or correspondence (including checks) are received from an attorney or another interested party.

Several contractors on ReMAS are currently still sending ICNs. Lead contractors on ReMAS shall not send ICNs to other contractors. Contractors shall destroy any ICNs in their possession, even those that are pending, except for ICNs from FCSO. Contractors shall respond to ICNs from FCSO until further notice. ICNs that are destroyed are not to be counted or included in the correspondence workload figures.

**B. Policy: N/A**

**C. Provider Education: None.**

## II. BUSINESS REQUIREMENTS

"Shall" denotes a mandatory requirement

"Should" denotes an optional requirement

Requirement Number	Requirements	Responsibility ("X" indicates the columns that apply)								
		F I	R H I	C a r r i e r	D M E R C	Shared System Maintainers				Other
						F I S S	M C S	V M S	C W F	
3598.1	Non-lead contractors having liability, WC, or auto/no-fault cases in a pre-settlement status that are more than 3 years old, for which they were the lead recovery contractors (pre-COBC), shall store these cases on site.	X	X	X	X					
3598.2	If a non-lead contractor receives an inquiry or other correspondence (including a check) on one of its pre-settlement cases, it shall transfer the case to the lead FI for the State in which the beneficiary resides. If an associated check is received by the non-lead, it shall be deposited and reissued to the lead FI.	X	X	X	X					
3598.3	Contractors on ReMAS are to stop sending ICNs to other contractors.	X	X	X	X					
3598.4	Contractors receiving ICNs from other contractors that are on ReMAS are to destroy the ICNs.	X	X	X	X					
	<b>EXCEPTION:</b> If contractors received ICNs from FCSO prior to December 8, 2004, they shall respond. Contractors responding to FCSO ICN requests shall track the volume and funding will be made available.	X	X	X	X					
3598.5	Destroyed ICNs shall not be counted in any correspondence workload figure.	X	X	X	X					

### III. SUPPORTING INFORMATION AND POSSIBLE DESIGN CONSIDERATIONS

#### A. Other Instructions: N/A

X-Ref Requirement #	Instructions

#### B. Design Considerations: N/A

X-Ref Requirement #	Recommendation for Medicare System Requirements

#### C. Interfaces: N/A

#### D. Contractor Financial Reporting /Workload Impact: N/A

#### E. Dependencies: N/A

#### F. Testing Considerations: N/A

### IV. SCHEDULE, CONTACTS, AND FUNDING

<b>Effective Date:</b> February 28, 2005 <b>Implementation Date:</b> February 28, 2005 <b>Pre-Implementation Contact(s):</b> Elizabeth Poole at (410) 786-6683 <b>Post-Implementation Contact(s):</b> Elizabeth Poole at (410) 786-6683	<b>Medicare contractors shall implement these instructions within their current operating budgets.</b>
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