

<b>CMS Manual System</b>	<b>Department of Health &amp; Human Services (DHHS)</b>
<b>Pub 100-08 Medicare Program Integrity</b>	<b>Centers for Medicare &amp; Medicaid Services (CMS)</b>
<b>Transmittal 691</b>	<b>Date: December 16, 2016</b>
	<b>Change Request 9856</b>

**SUBJECT: Contacting Non-Responders and Documentation Requests**

**I. SUMMARY OF CHANGES:** The purpose of this change request (CR) is to update Chapter 12 of Pub. 100-08 which instructs the Medicare Administrative Contractor (MAC) on how to proceed in response to the display of Error Code 99 on the Comprehensive Error Rate Testing (CERT) Claims Status Website (CSW).

**EFFECTIVE DATE: January 19, 2017**

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

**IMPLEMENTATION DATE: January 19, 2017***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.*

<b>R/N/D</b>	<b>CHAPTER / SECTION / SUBSECTION / TITLE</b>
R	12/12.3.8/Contacting Non-Responders and Documentation Requests

**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:**

**Business Requirements**

**Manual Instruction**

# Attachment - Business Requirements

Pub. 100-08	Transmittal: 691	Date: December 16, 2016	Change Request: 9856
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**SUBJECT: Contacting Non-Responders and Documentation Requests**

**EFFECTIVE DATE: January 19, 2017**

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

**IMPLEMENTATION DATE: January 19, 2017**

**I. GENERAL INFORMATION**

**A. Background:** In response to an Error Code 99 on the CERT CSW, the MACs may proceed at their discretion by following one of the three options in this CR.

**B. Policy:** This CR does not involve any legislative or regulatory policies.

**II. BUSINESS REQUIREMENTS TABLE**

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

Number	Requirement	Responsibility								
		A/B MAC			DME MAC	Shared-System Maintainers				Other
		A	B	HHH		FISS	MCS	VMS	CWF	
9856.1	MACs shall reference Chapter 12 of Pub. 100-08 on how to proceed in response to the display of Error Code 99 on the CERT CSW.	X	X	X	X					

**III. PROVIDER EDUCATION TABLE**

Number	Requirement	Responsibility				
		A/B MAC			DME MAC	CEDI
		A	B	HHH		
	None					

**IV. SUPPORTING INFORMATION**

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

*"Should" denotes a recommendation.*

<b>X-Ref Requirement Number</b>	<b>Recommendations or other supporting information:</b>
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**Section B: All other recommendations and supporting information:** N/A

## **V. CONTACTS**

**Pre-Implementation Contact(s):** Sarah Leipnik, 410-786-3933 or sarah.leipnik@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: 0**

## **12.3.8 – Contacting Non-Responders and Documentation Requests**

*(Rev.691, Issued: 12-16-16 Effective: 01-19-17, Implementation: 01-19-17)*

This section applies to Medicare Administrative Contractors (MACs) and Comprehensive Error Rate Testing (CERT) as indicated.

### **A. The CERT Claims Status Website**

Cases where requested documentation has not been received will be posted on the Outstanding Documentation section of the CERT Claims Status *Website (CSW)*. If the MAC has the requested information, the MAC may submit the documentation to the CERT review contractor.

### **B. Contacting Non-Responders**

*The CERT Review Contractor posts Error Code 99 to the CERT CSW on the 76th day from the date the first request letter was sent.*

*In response to the display of Error Code 99 on the CERT CSW, the MAC may proceed at their discretion by doing one of the following:*

- 1. Contact those providers who have failed to submit medical records and encourage them to submit the requested records to the CERT review contractor for review;*
- 2. Collect the overpayment immediately in accordance with PIM 12.3.4.; or*
- 3. Collect the overpayment within 10 business days of the deadline for entering, on the CERT CSW, AC feedback and change in status information to be included in the report (i.e., the annual/November report).*

A MAC shall not contact any provider selected for CERT review until 20 days after the CERT initial request *has been* reported on the *CERT CSW*. A MAC may contact third party providers and encourage them to send the needed records to the CERT review contractor.

When contacting the provider, the MAC shall request the provider to include the barcode sheet or the CERT claim identification number at the top of the medical record.

### **C. Customizing Address**

Each MAC shall verify the address of providers that had claims selected for CERT review. Should the MAC determine that the address in the CERT *CSW* is inaccurate, the MAC shall notify the CERT documentation contractor using the provider address modification tool on the CERT Provider website.

### **D. Additional Documentation Requests**

A MAC may contact providers when an additional documentation request (ADR) is issued. ADR claims can be found on the CERT *CSW*.

### **E. Request Letters**

When requesting medical records from providers, the CERT documentation contractor shall use the CMS-approved request letters, found at [www.certdoc.org](http://www.certdoc.org) for MACs and at [www.CERTprovider.com](http://www.CERTprovider.com) for all providers and suppliers. The CERT documentation contractor shall send the request letter in Spanish to providers in Puerto Rico and upon request to providers in other regions.