



## Request for City Council Committee Action from the Finance Department

**Date:** September 8, 2009

**To:** Ways & Means Committee  
**Referral to:** None

**Subject:** Medicare Secondary Payer Mandatory Reporting

**Recommendation:** The City Council authorizes registration of the City as a required reporting entity for Medicare, Medicaid, and SCHIP Extension Act of 2007, Section 111. The City Council designates the Chief Financial Officer as the Authorized Representative for Section 111 Reporting Requirements, authorizing the Chief Financial Officer to bind the City to a contract and the terms of the Medicare, Medicaid, and SCHIP Extension Act of 2007, Section 111 requirements and processing. The City Council authorizes the Chief Financial Officer to designate the Account Manager and Account Designees, and authorizes the Chief Financial Officer to allocate non-conformance penalties assessed by Medicare.

**Previous Directives:** None

### Department Information:

Prepared by: Ellen Velasco-Thompson, Risk Mgmt. & Claims/Finance

Approved by: Patrick Born, Chief Financial Officer *[Signature]*

Steven Bosacker, City Coordinator *[Signature]*

Presenters in Committee: Ellen Velasco-Thompson, Director, Risk Mgmt. & Claims/Finance

### Reviews

- Permanent Review Committee (PRC): Approval \_\_\_ Date N/A \_\_\_\_\_
- Civil Rights Approval Approval \_\_\_ Date N/A \_\_\_\_\_
- Policy Review Group (PRG): Approval \_\_\_ Date N/A \_\_\_\_\_

### Financial Impact:

- No financial impact

### Supporting Information:

Section 111 of Medicare, Medicaid, and SCHIP Extension Act of 2007 ("MMSEA") added new mandatory reporting requirements for liability (including self-insurance), no-fault, and workers' compensation to improve Medicare's ability to collect from or defer payment to a

primary payer when Medicare is a secondary payer. The city is required to comply with the reporting requirements upon payment of any workers' compensation and liability settlement, judgment, award, or other payment made to a Medicare beneficiary.

As part of the reporting process the Medicare program requires reporting entities to register with Medicare. The registration process requires reporting entities to provide notification of their intent to report data in compliance with the requirements of Section 111 of the MMSEA. Since the City is self-insured for no-fault, liability, and workers' compensation, it is anticipated that the City will have entitlement determinations & reportable claims. The City is required to register and designate an Authorized Representative. The Authorized Representative must have the legal authority to bind the City to the terms of MMSEA Section 111 requirements and processing. The Authorized Representative has ultimate accountability for the City's compliance with Section 111 reporting requirements.