



Broadspire February 26, 2010 MMSEA Section 111 (SCHIP)

The Center for Medicare/Medicaid Services (CMS) issued alerts on February 25, 2010 for Liability Insurance, Self Insurance, No-Fault Insurance, and Workers' Compensation (NGHP)

These alerts will have a significant impact for many "Responsibility Reporting Entities" (RRE) registrations and will affect reportable claims. CMS expects to release a new User Guide Version 3.0 on their website later this week and we anticipate many clarifications and revised reporting specifications. Following the release of the new User Guide, Broadspire will post highlights.

During a CMS Town Hall Teleconference on February 25, 2010, CMS stated the following:

- ✓ **Total Payment Obligation to Claimant (TPOC):** Clients reporting claims with TPOC previously reportable on or after 1/1/2010 no longer have to provide a TPOC until 10/1/2010.
- ✓ **Ongoing Responsibility for Medical (ORM):** Claims with Ongoing Responsibility for Medical (ORM) on or after 1/1/2010 are reportable.
- ✓ **Foreign Insurers:** CMS will issue a separate Alert to address foreign insurers.

Final RRE language for deductible programs

Alert Link: [CMS NGHP Alert RREs Who Must Report](#)

This Alert was in response to the draft RRE language alert posted July 31, 2009 for public comment. The Alert addressed many outstanding questions posed by insurers and insureds regarding whose responsibility it is to report. Deductibles and how they were funded/paid had previously been a key factor in determining the RRE.

Some key areas addressed in this Alert:

- ✓ Acquisition/Divestiture or Sale, Bankruptcy, Fronting Policies, Liquidation, Multiple Defendants, Self-Insurance Pools, Subrogation, State Funds, Self Insurance and Deductibles.

This published Alert is a significant change from prior CMS guidelines and the **Insurance Carrier is now the RRE above and below the deductible**.

We recognize that these clarifications will mean that many RRE's may need to either modify or cancel their current registrations with CMS. Broadspire's SCHIP Production Team is in the process of clarifying the procedures with CMS for canceling or modifying RRE IDs and we will issue additional instructions for you to follow.

CMS advises all NGHP RREs that the date for first production NGHP Input Files has changed from April 1, 2010 to January 1, 2011

- ✓ NGHP File data exchange testing will continue. All NGHP RREs should now be registered with the COBC, and either in or preparing for file testing status. NGHP file data exchange testing may continue during 2010, as needed.
- ✓ All NGHP file data exchange testing will be completed by December 31, 2010. NGHP RREs that have completed file data exchange testing at any time are encouraged to proceed to production file data exchange status.

As new information regarding this alert becomes available, Broadspire will continue to provide further updates and we will provide instructions for any actions that you may need to take as a result of the recent CMS alerts.

At Broadspire, our clients are important to us. We appreciate your business. Please send comments and feedback to SCHIP@choosebroadspire.com or contact Suzanne.jordan@choosebroadspire.com