



## **Broadspire November, 2010 Update MMSEA Section 111 (SCHIP)**

On November 12, 2010 The Center for Medicare/Medicaid Services (CMS) published an alert dated November 9, 2010 regarding reporting Liability TPOC's (Total Payment Obligation to Claimant) and the extension of interim thresholds for liability including Self-Insurance and Workers Compensation (NGHP).

### [CMS Alert Nov-2010: Revised Liability Timeline and TPOC Thresholds](#)

#### **I. Revised Implementation Timeline for TPOC Liability Insurance (Including Self-Insurance) Settlements, Judgments, Awards or Other Payments**

CMS has delayed the required submission of Mandatory Insurer Reporting data for all liability insurance initial claim reporting with no ORM (on-going responsibility for medical) involvement until 1st Quarter 2012. Liability and workers Compensation claims with ORM have not been delayed and will be required to submit claims records as originally scheduled starting 1st Quarter 2011.

- Liability insurance (including self-insurance) TPOCs must be reported if the TPOC Date is on or after 10/1/2011.
- The current rule requiring reporting of NGHP TPOC Dates of 10/1/2010 has been changed to 10/1/2011 but **only** for liability insurance (including self-insurance) TPOCs.
- The reporting date requirements for TPOC Dates of 10/1/2010 and subsequent associated with no-fault insurance or workers compensation claims remain unchanged.

- The reporting date requirements as documented in the User Guide for all NGHP ORM remain unchanged.
- Initial Claim Input Files for reportable claims are still due during the RRE's assigned file submission timeframe for the first calendar quarter of 2011. RREs that have reportable claims must commence production reporting in first calendar quarter 2011 and then include liability insurance (including self-insurance) TPOC reporting in the first calendar quarter of 2012 for TPOC Dates of 10/1/2011 and subsequent.

## **II. Extension of Current Dollar Thresholds for Liability Insurance (Including Self-Insurance) and Workers Compensation**

- CMS has extended by one calendar year, all of the interim reporting thresholds outlined in section 11.4 of the CMS User Guide Version 3.1.
- For **Workers Compensation ORM**, the date 12/31/2011 is changed to 12/31/2012.
- For **Liability and Workers Compensation TPOC Amounts** the dates are revised as follows:
  - Claim reports where the last (most recent) TPOC Date is **prior to January 1, 2013** with TPOC
  - Amounts totaling \$0.00 - **\$5,000.00**, are exempt from reporting.
  - Claim reports where the last (most recent) TPOC Date is **January 1, 2013 through December 31, 2013** with TPOC Amounts totaling \$0.00 - **\$2000.00**, are exempt from reporting.
  - Claim reports where the last (most recent) TPOC Date is **January 1, 2014 through December 31, 2014**, with TPOC Amounts totaling \$0.00 - **\$600.00** are exempt from reporting.
  - No threshold applies to claims where the last (most recent) TPOC Date is **January 1, 2015** and subsequent.

**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.**

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