

SEMINAR

Primer & Update on the Medicare Secondary Payer Act

How to ensure your liability settlement fully complies with CMS regulations

The Medicare Secondary Payer Act (MSP) was enacted on December 5, 1980. Despite being federal law for over thirty-five years, many liability attorneys still struggle with ensuring their settlements fully comply with the statute's three basic requirements: ensure Medicare remains secondary to settlement proceeds, reimburse Medicare's conditional payment, and report the settlement via the Section 111 reporting requirement.

Since 2009 the Centers for Medicare and Medicaid Services (CMS) has methodically stepped up its enforcement of the MSP statute in all liability settlements. The most recent changes to CMS enforcement came in Fall 2017 when CMS took steps to ensure Medicare does not make any accident related medical payments post-settlement. Further enforcement measures are anticipated in 2019.

This program provides an overview of the MSP statute and then provides a detailed examination of each of the three statutory requirements. Specifically, this program outlines when a future medical allocation is appropriate, how to obtain and dispute Medicare's conditional payment amount, and when the defendant is required to file a Section 111 report.

The MSP applies to both plaintiffs and defendants; therefore, all attorneys benefit from this program.

Agenda

- Brief Overview of the Medicare Secondary Payer Act
- Brief Overview of the Medicare Program and How to Qualify: Includes Discussion of Medicare for Minor Children and Young Adults
- How to Determine If Your Settlement Is Primary to Medicare
- Reimbursement of the Medicare Conditional Payment Amount
- Section 111 Reporting Requirement
- Practice Tips
- "Ask the Experts" Q&A Session

Faculty

Christine Hummel, Esq., *Hummel Consultation Services, Portsmouth, NH*, Chair

Cecilie MacIntyre, Esq., *Verrill & Dana LLP, Portland, ME*

Materials

The materials for this program include a faculty-prepared program book.

Also, there is no need to take extensive notes. Two weeks after the live seminar, all registrants will receive a link to a written verbatim transcript of this program.

Dates & Locations

BOSTON

Tuesday, April 9, 2019
9:30 am–12:30 pm

MCLE Conference Center,
10 Winter Place, via Winter Street
Program Number: 2190148P01

LIVE WEBCAST

Tuesday, April 9, 2019
9:30 am–12:30 pm

Register at www.mcle.org
Program Number: 2190148WBC

RECORDED WEBCAST

Tuesday, April 23, 2019
2:00 pm–5:00 pm

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