



Government Affairs Alert

September 9, 2009

CMS Alerts Issued: Obtaining Social Security Numbers for Non-Group Health Plan Reporting and Documentation Concerning MMSEA Section 111 COB Secure Web Site Registrations

On August 24, 2009, the Centers for Medicare and Medicaid Services (CMS) issued two new documents pertaining to MMSEA Section 111 reporting for Non-Group Health Plan (NGHP) entities.

Collection of Social Security Number (SSN)

Per CMS regulation, an injured individual's SSN is required for MMSEA Section 111 reporting. However, the industry continues to advise CMS on the practical difficulties in obtaining SSNs from all claimants, mainly when dealing with liability claims. To address this ongoing problem, CMS issued the Alert and new model language/form—including a picture of the Medicare card—to assist reporting entities in obtaining the required information to comply with MMSEA Section 111.

The Alert advises that claimants should routinely cooperate in furnishing either their SSN or Health Insurance Claim Number (HICN) as requested by the NGHP reporting entity. If an individual refuses to furnish their SSN or HICN, and the NGHP reporting entity chooses to use the model language provided, CMS will **consider the entity compliant** for the purposes of its next MMSEA Section 111 file submission, but only if the following steps are performed:

- A signed copy of the model language in the format provided is obtained (even if the claimant is later discovered to be a Medicare beneficiary).
- The model language, with a copy of the Medicare card, re-signed and dated at least once every 12 months for same individual in cases where ongoing responsibility for medicals (ORM) applies.
- The reporting entity retains this documentation as a record.

This process does not provide a “safe harbor” to any reporting entity attempting to avoid reporting on an individual known to be a Medicare beneficiary. CMS also indicates that reporting entities are not required to use the specific model language provided.

To view a copy of the CMS Alert [click here](#).
To view a copy of the model form [click here](#).

Information on Coordinator of Benefits (COB) Secure Web Site Registration

CMS issued additional information regarding COB Secure Web Site users which supplements the applicable instructions in User Guide 2.0 (to view a copy of User Guide 2.0 [click here](#)). PMSI Settlement Solutions has outlined the more pertinent information; however, this is not an exhaustive list and all reporting entities are urged to review this document.

To view a copy of this CMS Alert [click here](#).

- **Account Designees** will receive an e-mail from cob@section111.cms.hhs.gov when invited to be a user of a responsible reporting entity's (RRE's) account.
 - This e-mail will contain a token link which must be followed to access the Account Designee registration process on the COB Secure Web Site. Only one token link will be provided per **Account Designee**, thus if the **Account Designee** receives multiple e-mails inviting them to register the token link will be identical and any e-mail may be used.
 - Once the **Account Designee** registration process is completed, the token link will be invalid.
- During the registration process the **Account Designee** must provide the "passphrase" provided by the **Account Manager** in order to obtain a Login ID.
- **Account Managers** will be prompted to create a Login ID and password the first time they perform Account Setup.
- **Account Designees** and **Account Managers** will register one time, as only one Login ID is required to access all associated RRE IDs.
- Individuals can play different roles for different RRE IDs (**Account Manager** for some and **Account Designee** for others) - The same individual may receive e-mails for **Account Designee** registration while performing Account Setup as an **Account Manager**.
 - If an individual receives an **Account Designee** invitation e-mail which is pending, they must complete the **Account Designee** registration process before proceeding with setting themselves up as an **Account Manager**.
- CMS strongly recommends users register as soon as possible after receiving an invitation e-mail to avoid confusion and problems completing Account Setup for other RRE IDs.

PMSI Client Recommendations

PMSI recommends that any entity who is considered an RRE or is involved in the MMSEA Section 111 reporting process review the updated documents from CMS to determine organizational impact. If collection of SSNs is an issue for your organization, implementation of the new processes outlined by CMS should be considered for enhanced compliance with MMSEA Section 111 reporting. Users of the COB Secure Web Site should register as



soon as possible after receiving an invitation to obtain a Login ID to avoid future problems such as multiple e-mails and confusion.

The MMSEA Section 111 reporting process is still evolving as CMS continues to implement requirements, provide further instructions and address industry questions and concerns. RREs should access the [CMS Section 111 web page](#) frequently to keep updated on developments and additional information.

PMSI will continue to provide additional guidance as new information is issued by CMS. RREs may also obtain additional information by attending CMS bi-monthly teleconferences. To view the list of CMS teleconferences scheduled for the remainder of 2009 [click here](#).

PMSI Settlement Solutions Client Support

PMSI is committed to bringing our clients the most current information on MMSEA reporting requirements and provides a complete preparation and compliance program. As further information becomes available, PMSI's Government Affairs team will provide additional insight and analysis.

For more information on MSP compliance and related Government Affairs Alerts, visit the [Industry Insights](#) section of our website at www.pmsisettlement.com or contact us at 888.MSA.PMSI.

**pharmacy medical services settlement
 and equipment solutions™**

PMSI—The Only Solution You Need. Founded in 1976, today PMSI is one of the nation's largest providers of specialty managed care services and products for the workers' compensation and liability markets. PMSI provides a best-in-class integrated portfolio of services in Pharmacy, Settlement Solutions, Medical Services and Equipment, and Clinical Services that promotes quality care for injured workers while helping clients contain costs and control utilization.