

# Medicare Secondary Payer (MSP) – Setting Up or Correcting Common Working File Records

7/18/2023

# Today's Presenters

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## Provider Outreach and Education Consultants

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## Objectives

- Assist providers in understanding why
  - New MSP records must be added to CWF
  - Existing MSP records in CWF need to be corrected/changed
- Assist providers in knowing how to
  - Set up a new MSP record through BCRC
  - Correct or change an existing MSP record through BCRC
  - Contact BCRC



# Agenda

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2023 MSP webinars

Christine Janiszcak

MSP Resources handout

Christine Janiszcak

Provider receives MSP information during MSP screening process

Christine Janiszcak

BCRC

Christine Janiszcak

Correcting or changing MSP record in CWF through BCRC

Jan Wood

Wrap up

Jan Wood

Questions and answers

# 2023: MSP Webinar Series

# MSP Webinars in Series

- MSP: Fundamentals (05/04/2023)
- MSP: Resources (06/28/2023)
- MSP: Identifying Primary Payers (07/13/2023)
- MSP: Setting Up and Correcting CWF Records (07/18/2023)
- MSP: Rejections on Primary Claims (07/20/2023)
- MSP: Working Aged with EGHP Provision (08/08/2023)
- MSP Disabled with LGHP Provision (08/10/2023)
- MSP: ESRD with EGHP Provision (08/15/2023)
- MSP: No-Fault, Medical-Payment and Liability Provisions (TBD)

# MSP Webinars in Series

- MSP: Submitting Claims When Primary Payer Makes Payment (MSP Billing) (TBD)
- MSP: Billing Examples (TBD)
- MSP: Submitting Claims When Primary Payer Does Not Make Payment (Conditional Billing) (TBD)
- MSP: Conditional Billing Examples (TBD)
- MSP: Claims That RTP (TBD)
- MSP: Conditional Claims That RTP (TBD)
- MSP: Adjustments Involving MSP (TBD)
- MSP Payment and Beneficiary Responsibility (TBD)



# Additional MSP Webinars

- Virtual conferences (include MSP as topic)
  - Twice a year
- Let's Chat About MSP Part A
  - Once a month
  - For all Part A providers including HHHs and FQHCs/RHCs
  - Ask MSP-related questions (no PHI)
  - Event posted to our website but no presentation

# MSP Resources Handout

**Fact:** The more you know about MSP, the more easily you can achieve compliance with your MSP-related provider responsibilities

**Tips:** Review MSP resources available to you and continue to learn about MSP!



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Provider Receives MSP Information  
During MSP Screening Process

# Providers' MSP-Related Responsibilities Per Medicare Provider Agreement



## **Determine if Medicare is primary payer for beneficiary's services**

Identify payers primary to Medicare



## **Submit claims to primary payer(s) before Medicare**

May be more than one payer primary to Medicare



## **Submit MSP claims to Medicare when required**

Follow claim submission guidelines



# MSP Value Codes and Primary Payer Codes

MSP VC	MSP Provision/Medicare Exclusion	Payer Code
12	Working aged, age 65 and over, EGHP, 20 or more employees	A
13	ESRD with EGHP in 30-month coordination period	B
14	No-Fault (automobile and other types including medical-payment) or Set-Aside	D or T
15	Workers' Compensation or Set-Aside	E or W
16	Public Health Services	F
41	Federal Black Lung Program	H
43	Disabled, under age 65, LGHP, 100 or more employees	G
47	Liability Insurance or Set-Aside	L or S

# Your Facility May Receive Information for Beneficiary's MSP Record

- During your MSP screening process with beneficiary
  - You may learn of information that requires
    - ✓ A new MSP record to be set up in CWF
    - ✓ An existing MSP record in CWF to be corrected or changed

# Contact the BCRC

- If you learn of such information
  - Contact BCRC to request
    - ✓ A new MSP record be set up
    - ✓ An existing record be corrected
      - Corrects MSP information
    - ✓ An existing record be changed
      - Changes Medicare from secondary to primary for reasons other than beneficiary/spouse retired OR services are not related to open MSP record for a prior accident

# MSP or Conditional Claim VS MSP Record in CWF

- To submit a MSP or conditional claim
  - A **matching** MSP record must be present in CWF
    - ✓ MSP record contains same insurance information as claim
- Before submitting a MSP or conditional claim
  - Wait for BCRC to set up a new or correct an existing MSP record



# No Matching Record in CWF

- If you submit a MSP or conditional claim and there is no matching MSP record in CWF
  - Claim will suspend for up to 100 days
  - We will contact BCRC

# Medicare Primary Claim Versus MSP Record in CWF

- To submit a Medicare primary claim
  - BCRC must have changed any existing MSP record to make Medicare primary
  - Claim must have any applicable explanatory coding indicating why Medicare is primary
- Before submitting a Medicare primary claim
  - Wait for BCRC to change existing MSP record to make Medicare primary
  - Ensure claim has applicable explanatory coding

# No Explanatory Claim Coding

- If you submit a Medicare primary claim without explanatory coding to indicate why Medicare is the primary and
- There is an open MSP record in CWF
  - Claim will reject for MSP
    - ✓ In some cases, a Medicare primary claim with explanatory claim coding will still reject for MSP because BCRC needed to be contacted

# Explanatory Claim Coding

- Claim coding that explains why Medicare is primary
  - [Prevent an MSP Rejection on a Medicare Primary Claim](#)
    - ✓ CCs = 09, 10, 11, 28, 29
    - ✓ OCs and dates = 05, 18, 19, 25
    - ✓ Remarks
- Some explanatory claim coding may not prevent claim rejections for MSP
  - BCRC must be contacted



# Do Not Need to Contact BCRC

- You do not need to contact BCRC to change MSP records for certain reasons
  - MSP GHP VC 12 or 43 records to make Medicare primary due to **retirement**
  - MSP Non-GHP VC 14, 15, 41 or 47 records to report current service is **not related** to such accident/injury
- Using explanatory claim coding is sufficient

# Do Not Need to Contact BCRC With Retirement Dates

- Submit Medicare primary claim with retirement date(s)
  - OC 18 = beneficiary's retirement date
  - OC 19 = spouse's retirement date
- Collect retirement dates during MSP screening process
  - While CMS' model MSP questionnaire may not include retirement date fields, CMS still requires providers obtain and report retirement dates

# Claims With Retirement Dates

- When incoming claims contain retirement dates, Medicare can
  - Send retirement date(s) to BCRC
  - Process claim for payment
- BCRC
  - Reviews/investigates information
  - Updates MSP VC 12 or 43 record if there are no conflicts

# Do Not Need to Contact BCRC if Services Are Not Related to Prior Accident

- Submit Medicare primary claim with Remarks explaining services are not related to prior accident
  - Remarks = Services are not related to MSP record (indicate which record; MSP VC 14, 15, 41, 47)
- Must have and maintain documentation to support Remarks (e.g., completed MSP questionnaire)



# Alert: Medicare Primary Claims Can Reject for MSP

- A Medicare primary claim may reject for MSP if
  - You did not check for open MSP record(s)
  - You checked and found open MSP record(s) but
    - ✓ Did not report explanatory claim coding to indicate why Medicare is primary
      - Beneficiary or spouse retired
      - Services are not related to open accident MSP record
    - ✓ You did not contact BCRC to change MSP record(s) when applicable
    - ✓ You did contact BCRC to change MSP record(s) but did not wait for BCRC to complete changes before you submitted claim

# Facts About Medicare Primary Claims That Reject for MSP

- MSP claim rejections

- Are known as cost-avoided claims
- Appear in FISS status location RB9997
- Commonly have a FISS claim reason code in range 34XXX
  - ✓ Top reason codes
    - 34538 = Claim submitted as Medicare primary but there is an open MSP VC 12 record in CWF
    - 34540 = Claim submitted as Medicare primary but there is an open MSP VC 43 record in CWF

# Resolving Medicare Primary Claims That Reject for MSP

- Adjust to resolve (TOB XX7)
  - If MSP record is correct
    - ✓ Reformat adjustment to MSP or conditional
  - If MSP record is incorrect
    - ✓ Reformat adjustment to add explanatory claim coding and/or
    - ✓ Contact BCRC
- Do not
  - Resubmit new claim as it will reject as duplicate
  - Bill beneficiary

BCRC

# Who is the BCRC?

- BCRC

- Is contracted by CMS effective 2/1/2014
- Consolidates activities that support the collection, management, and reporting of other insurance coverage for beneficiaries
- Takes actions to identify health benefits available to beneficiaries and coordinates payment process to prevent mistaken payments
- Maintains and handles most updates to MSP records
- Does not process claims or handle claim-specific inquiries

# When to Contact the BCRC

- Ask

- General MSP questions
- Questions regarding initial enrollment and secondary claim development letters

- Report

- New MSP information (no existing MSP record)
  - ✓ Employment and insurance information
  - ✓ Accident for which another payer is primary
- Corrections or changes to existing MSP record

# BCRC Contact Information

- MSP Resources Handout
- [BCRC Contact page](#)
- [No-Fault closure detail document](#)



# BCRC Contact Information

- Customer Service Representatives are available
  - Monday to Friday, 8:00 a.m.–8:00 p.m. ET, except holidays
  - 855-798-2627
  - TTY/TDD: 855-797-2627 (hearing and speech impaired)
  - Fax for general correspondence: 405-869-3307
- MSP general correspondence mailing address
  - MSP – Data Collections  
P.O. Box 138897  
Oklahoma City, OK 73113-8897

# Setting Up MSP Record in CWF Through BCRC

# MSP Instructions on our Website

- Visit [our website](#) for MSP information (under Claims and Appeals)
  - Review [Set Up a Beneficiary's MSP Record](#)
    - ✓ Follow Steps 1 through 4
      1. Review your in-house files to identify beneficiary's information BCRC needs to set up an open MSP record
      2. Contact BCRC to request they set up open beneficiary MSP record
      3. Wait for BCRC to set up open beneficiary MSP record
      4. Once open MSP record for beneficiary is set up, submit MSP or conditional claim, if applicable

# Set Up MSP Record – Step One

- Review your in-house files to identify beneficiary's information BCRC needs to set up an open MSP record
  - BCRC requires (including but not limited to)
    - ✓ Beneficiary's name, address and MBI
    - ✓ Primary insurance company's name and address
    - ✓ Insured's name
    - ✓ Insurance effective date (if through an employer)
    - ✓ Date of accident, injury or when illness began (if insurance is No-Fault, WC, Black Lung or Liability)

# Set Up MSP Record – Step Two

- Contact BCRC to request they set up open beneficiary MSP record
  - You can reach BCRC via phone, mail or fax
  - Have beneficiary's information (from Step One) available
    - ✓ BCRC may require additional information to investigate MSP situation and to set up an open MSP record for beneficiary

# Set Up MSP Record – Step Three

- Wait for BCRC to set up open beneficiary MSP record
  - Check for MSP record to be present
    - ✓ Use provider self-service tools listed under Step Two in [Identify the Proper Order of Payers for a Beneficiary's Services](#)
  - Follow up with BCRC if they do not set up a MSP record

# Set Up MSP Record – Step Four

- Once open MSP record for beneficiary is set up, submit MSP or conditional claim, if applicable
- If submitting an MSP or conditional claim
  - MSP information on claim must match MSP record
    - ✓ Submitting an MSP claim
      - [Prepare and Submit an MSP Claim](#)
    - ✓ Submitting a conditional claim
      - [Prepare and Submit an MSP Conditional Claim](#)



# Correcting or Changing MSP Record in CWF Through BCRC

# MSP Instructions on our Website

- Visit [our website](#) for MSP information (under Claims & Appeals)
  - Review [Correct a Beneficiary's MSP Record](#)
    - ✓ Follow steps one-three to correct or change a beneficiary's MSP record
      1. Determine type of MSP record that needs correction or change
      2. Contact BCRC to request they correct or change beneficiary's MSP record
      3. Wait for BCRC to correct or change beneficiary's MSP record before submitting claim(s)

# Correct or Change MSP Record – Step One

- Determine type of MSP record that needs correction or change
  - Use provider self-service tools listed under step two in [Identify the Proper Order of Payers for a Beneficiary's Services](#)
    - ✓ Record is a GHP or a non-GHP MSP record
      - Contact BCRC in most situations
        - GHP record (MSP VCs 12, 13 or 43)
        - Non-GHP record (MSP VCs 14, 15, 41 or 47)

# GHP MSP Records That Need Corrections or Changes Via the BCRC

- Examples include but are not limited to
  - MSP record information is inaccurate
    - ✓ Employer, insurer, effective date, through date, etc.
  - GHP terminated
    - ✓ For reason other than retirement
  - Beneficiary is not enrolled in GHP
  - Beneficiary, spouse or family member is not currently employed
  - Employer size changed
    - ✓ GHP remains primary until a certain amount of time passes after change

# Non-GHP MSP Records That Need Corrections or Changes Via the BCRC

- Examples include but are not limited to
  - MSP record information is inaccurate
  - Insurer, effective date, through date, etc.
  - Non-GHP terminated
  - Non-GHP benefits exhausted
  - Case settled
  - Accident never occurred

# Reminders

- You do not need to contact BCRC
  - To report beneficiary's/spouse's retirement dates
    - ✓ Submit retirement dates on claim
      - We will update BCRC and process claim unless there is a reason why we cannot
  - To report when services are not related to a prior accident in a MSP record
    - ✓ Submit Remarks on claim
      - We will process claim unless there is a reason why we cannot



# Correct or Change MSP Record – Step Two

- Contact BCRC to request they correct beneficiary's MSP record
  - Supply BCRC with beneficiary's identifying information (step one in [Set Up a Beneficiary's MSP Record](#))
  - BCRC may require additional information so they can investigate MSP situation and correct or change beneficiary's MSP record
  - You can reach BCRC via phone, mail or fax
  - Follow CMS' guidelines for contacting BCRC

# Correct or Change MSP Record – Step Three

- Wait for BCRC to correct or change beneficiary's MSP Record
  - Continue to check MSP record for correction or change
    - ✓ Use provider self-service tools listed under step two in [Identify the Proper Order of Payers for a Beneficiary's Services](#)
  - Follow up with BCRC if they do not correct or change MSP record
  - Submit claim once MSP record is corrected or changed

# Submitting Claims Once MSP Record is Corrected or Changed

- If submitting a Medicare primary claim
  - [Prevent an MSP Rejection on a Medicare Primary Claim](#)
- If submitting an MSP or conditional claim
  - MSP information on claim must match MSP record
    - ✓ Submitting an MSP claim
      - [Prepare and Submit an MSP Claim](#)
    - ✓ Submitting a conditional claim
      - [Prepare and Submit an MSP Conditional Claim](#)

# CMS' Guidelines for Contacting the BCRC

# Contacting the BCRC

- CMS
  - Wants to maintain up-to-date and accurate beneficiary MSP information on CWF
  - Contracts with BCRC to maintain such information
- Ensure your staff is aware of
  - Your options for requesting that BCRC
    - ✓ Corrects or changes an existing MSP record for a beneficiary
    - ✓ Adds a new MSP record for a beneficiary
  - BCRC's contact information

# MSP Record Information From Private Insurers

- In compliance with Section 111 of MMSEA
  - CMS implemented a process through which private insurers submit coverage information to BCRC
    - ✓ Private insurer known as a responsible reporting entity (RRE)
      - RREs send data input files to BCRC
        - Each file includes large numbers of coverage records
        - Having this coverage information allows CMS to more accurately determine who has primary or secondary claim coverage responsibility

# MSP Record Information From Private Insurers

- RREs must follow reporting hierarchy rules for submitting MSP information to BCRC found in CMS' MMSEA Section 111 User Guides
  - To reduce conflicts between MSP information submitted by RREs and MSP information previously reported
    - ✓ [Mandatory Insurer Reporting for GHP](#)
    - ✓ [Mandatory Insurer Reporting \(NGHP\)](#)
      - Search for User Guides



# MSP Record Information from Providers

- Providers must follow guidelines for contacting BCRC to **correct or change** a beneficiary's MSP record
  - To reduce conflicts between MSP information submitted by providers and MSP information previously reported
    - ✓ Providers who contact BCRC **with beneficiary in office**
    - ✓ Providers who contact BCRC **without beneficiary in office**
    - ✓ Providers who contact BCRC for a **deceased beneficiary**

# Provider Contacts BCRC to Correct or Change a Beneficiary's MSP Record

- Beneficiary is in provider's office
  - First time a provider calls, BCRC will make correction or change via call
  - For subsequent provider calls, BCRC will not make correction or change via call
    - ✓ Provider has two options
      1. Fax or mail proof of correction or change to BCRC which must be on employer's or insurer's company letterhead
      2. Contact employer or insurer that last updated MSP record and ask them to resolve

# Provider Contacts BCRC to Correct or Change a Beneficiary's MSP Record

- Beneficiary is not in provider's office
  - BCRC will not make corrections or changes from a call
  - Provider has three options
    1. Fax or mail proof of correction or change to BCRC which must be on employer's or insurer's company letterhead
    2. Contact employer or insurer and ask them to resolve
    3. Have beneficiary call BCRC

# Provider Contacts BCRC to Correct or Change a Beneficiary's MSP Record

- Beneficiary is deceased
  - A single update can be made by one provider once date of death has been confirmed
  - Subsequent updates need to be handled by a family member with appropriate documentation including a death certificate

# Timeline for Corrections or Changes to MSP Records

- If BCRC can make a correction or a change to a beneficiary's MSP record
  - They will do so within 10–15 business days

# Provider Contacts BCRC to Add an MSP Record (No Existing MSP Record)

## ■ BCRC

- Will take new MSP information for a beneficiary
- May ask for additional information
- Will investigate
- If BCRC can add a beneficiary MSP record, they will do so within 10-15 business days

## ■ Provider

- May need to send BCRC additional information

# Did You Know...

- You may not bill a Medicare beneficiary for services even if beneficiary does not contact the BCRC to request that they add, correct or change an MSP record

# Importance of Obtaining Documentation from Employer or Insurer

- Assist BCRC in
  - Setting up MSP record when there is no existing MSP record
  - Correcting or changing existing MSP record
- Providers can fax or mail documentation from employer or insurer to BCRC
  - Documentation must be on that company's letterhead
  - Do not wait for beneficiary to contact BCRC



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Wrap Up

# Do Not Deny Medical Services

- Physicians, providers and suppliers shall not deny medical services or entry to a SNF or hospital after you discover that there is:
  - Open or closed GHP or NGHP MSP record found in HETS or on CWF; or a claim that was previously mistakenly rejected by Medicare due to MSP occurrence
  - [Medicare Secondary Payer: Do Not Deny Services & Bill Correctly](#)

# What You Should Do Now

- Be familiar with MSP resources
- Develop and implement policies that ensure your facility meets its MSP responsibilities
- Ensure your admissions/registration department works closely with your billing department
- Share this presentation with coworkers
- Continue to attend our MSP webinars

# Questions?

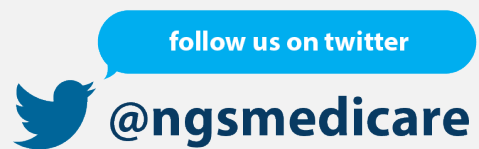
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# To Ask a Question Using the Question Box

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- Attendee List (2 | Max 201)**: Includes tabs for Attendees (1) and Staff (1). A dropdown menu shows 'NAMES - ALPHABETICALLY' with 'Corena Bahr (Me)' listed below it. A search bar is at the bottom of this section.
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    - ✓ Where we can improve

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