

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: _____

THIRD PARTY LIABILITY

Citation(s)

4.22 Third Party Liability

A. The Medicaid Agency meets all requirements of:

42 CFR 433.137

- (1) 42 CFR 433.138 and 433.139;
- (2) 42 CFR 433.145 through 433.148;
- (3) 42 CFR 433.151 through 433.154;

1902(a)(25)(G), (H) and (I)
of the Act
1902(a)(60) &
1908A of the Act

- (4) Sections 1902(a)(25)(G), (H) and (I); and
- (5) Section 1902(a)(60) of the Act.

B. Identification of Liable Resources. **The State uses the following methods to identify liable resources:**

42 CFR 433.138(f)

- (1) **Specify the frequency** with which the data exchanges required in §433.138(d)(1), (d)(3) and (d)(4) and the diagnosis and trauma code edits required in §433.138(e) are conducted:

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B. Identification of Liable Resources (continued)

42 CFR 433.138(g)(1)(ii)
and (2)(ii)

(2) Describe the methods the agency uses for meeting the following requirements contained in §433.138(g)(1)(i) and (g)(2)(i):

42 CFR 433.138(g)(3)(i)
and (iii)

(3) Describe the methods the agency uses for following up on information obtained through the State motor vehicle accident report file data exchange required under §433.138(d)(4)(ii) and specify the timeframes for incorporation into the eligibility case file and into its third party data base and third party recovery unit of all information obtained through the follow-up that identifies legally liable third party resources:

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B. Identification of Liable Resources (continued)

42 CFR 433.138(g)(4)(i) through (iii)

- (4) Describe the methods the agency uses for following up on paid claims identified under §433.138(e) (methods include a procedure for periodically identifying those trauma codes that yield the highest third party collections and giving priority to following up on those codes) and specify the timeframes for incorporation into the eligibility case file and into its third party data base and third party recovery unit of all information obtained through the follow-up that identifies legally liable third party resources:

C. Payment of Claims. The State uses the following methods in the payment of claims:

42 CFR 433.139(b)(3)(ii)(C)

- (1) Describe the method used in determining a provider's compliance with the third party billing requirements at §433.139(b)(3)(ii)(C):

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C. Payment of Claims (continued)

42 CFR 433.139(f)(2) (2) Specify the threshold amount or other guideline used in determining whether to seek recovery of reimbursement from a liable third party, or the process by which the agency determines that seeking recovery of reimbursement would not be cost effective:

42 CFR 433.139(f)(3) (3) Specify the dollar amount or time period the State uses to accumulate billings with respect to a particular third party in making the decision whether or not to seek recovery of reimbursement:

42 CFR 433.139(b)(3)(ii)(A) (4) Specify whether or not providers are required to bill liable third parties when services covered under the plan are furnished to an individual on whose behalf out by child support enforcement is being carried the State IV-D agency:

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- 42 CFR 447.20 D. The Medicaid agency ensures that the provider furnishing a service for which a third party is liable follows the restrictions specified in 42 CFR 447.20.
 - 42 CFR 433.151(a) E. The Medicaid agency has elected written cooperative agreements for the enforcement of rights to collection of third party benefits assigned to the State as a condition of eligibility for medical assistance with the following entities: (Check as appropriate.)
 - ___ State title IV-D agency. The requirements of 42 CFR 433.152(b) are met.
 - ___ Other State agency(ies) (specify):
 - ___ Other agency(ies) of another State (specify):
 - ___ Courts and law enforcement officials.
 - 42 CFR 433.153 F. The Medicaid agency makes incentive payments in accordance with 42 CFR 433.153.
 - 42 CFR 433.154 G. The Medicaid agency distributes collections in accordance with 42 CFR 433.154.

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