

# MARKET BULLETIN

REF: Y4434

<b>Title</b>	U.S. Medicare reporting and registration requirements
<b>Purpose</b>	To advise the Lloyd's market of the revised implementation timeline recently announced by CMS for reporting under Section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007 (MMSEA) for liability insurers.
<b>Type</b>	Event
<b>From</b>	Rosemary Beaver, Head of International Regulatory Affairs
<b>Date</b>	19 November, 2010
<b>Deadline</b>	Ongoing responsibility
<b>Related links</b>	<a href="#">Lloyd's market bulletin Y4375, 5 March 2010</a> <a href="#">Lloyd's market bulletin Y4410, 8 July 2010</a> <a href="#">Lloyd's market bulletin Y4419, 1 September 2010</a> <a href="#">Lloyd's market bulletin Y4423, 6 October 2010</a>

## Purpose

To advise the Lloyd's market of the revised implementation timeline recently announced by Centres for Medicare & Medicaid Services (CMS) for reporting under Section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007 (MMSEA) for liability insurers.

## Revised CMS implementation timeline

CMS has recently issued an alert on their website concerning a revised MMSEA reporting timeline. The alert can be found at the following link: [MMSEA Section 111 alert - Revised implementation timeline](#). CMS has advised that they will shortly update the CMS user guide to reflect the changes to the timeline.

The required submission of liability insurance initial claim reports has been changed from Q1 2011 to Q1 2012 for all liability insurance Total Payment Obligation Claimant (TPOC) claims with no Ongoing Responsibility for Medicals (ORM) involvement. The current rule requiring reporting of TPOC payments made on or after 1 October, 2010 has also been changed to 1 October, 2011.

It should be noted that the changes above apply only to liability insurance TPOCs. The reporting date timeline for TPOCs associated with no-fault insurance, and for liability insurance ORM claims, is unchanged (i.e. TPOCs associated with no-fault insurance on or

after 1 October, 2010 must be reported in Q1 2011, and ORM claims on or after 1 January 2010 must also be reported in Q1 2011 (as previously advised in Lloyd's market bulletin Y4375, dated 5 March, 2010).

The revised timeline issued by CMS does not alter the industry's MSP (Medicare Secondary Payer) obligations, but does now provide a phased implementation of non-group health claims reporting under MMSEA, based on the ORM, no-fault and liability definitions of business used by CMS. Working with the Lloyd's vendor, the Lloyd's market should therefore continue to implement the Lloyd's market reporting solution, but also seek to maximise the value of the query function and additional products provided by the Lloyd's vendor to address the MSP obligations as early as possible in the claims process.

Lloyd's will continue to keep CMS informed of the Lloyd's markets' progress towards MMSEA compliance and maintain its dialogue with U.S. industry peers, to ensure that the significant challenges and emerging issues facing the U.S. industry help inform how the Lloyd's markets prioritises its response to the CMS implementation timetable.

**Lloyd's Registration and Reporting timeline**

Further to Lloyd's market bulletin Y4423, dated 6 October, 2010, and in accordance with the process detailed in the managing agents' section of Medicare on lloyds.com, managing agents have now provided Responsible Reporting Entity (RRE) details for relevant managed syndicates to be registered on CMS systems.

A further market bulletin will be issued shortly detailing the next steps to be undertaken working with the Lloyd's specialist Medicare vendor to implement the Lloyd's market's reporting solution across the multiple stakeholders who will be required to provide data. In advance of that market bulletin, the timeline below sets out the key high level dates for the Lloyd's market, reflecting CMS's recently announced revised timeline.

Date	Activity
November, 2010	Completion by Lloyd's vendor of registration of Lloyd's RRE's on CMS system
November, 2010	Lloyd's to provide suggested template communication to advise TPAs and coverholders of the role of the Lloyd's vendor
November, 2010	Lloyd's RRE's begin test phase prior to live reporting.
November, 2010 and through Q1 2011	Lloyd's vendor will commence process of working with each TPA and coverholder to achieve full implementation in order to compile accurate data
March, 2011	Deadline for Lloyd's vendor to receive reporting data to allow preparation of production strength live file for reporting ORM claims and TPOC no-fault claims
October, 2011	Revised date (1 October) from when liability TPOC claims should be captured by RREs for future reporting to CMS
March, 2012	Deadline for Lloyd's vendor to include liability TPOC claims in Quarterly Claims File for reporting to CMS

### Collection of data for reporting purposes

In Market Bulletin Y4423, dated 6 October, 2010, and previous market bulletins covering Medicare, managing agents and brokers were reminded that they should be taking action to ensure the gathering of data on claims that are potentially impacted by the Medicare Secondary Payer legislation. In accordance with the revised implementation timeline issued by CMS, claims data for liability TPOC claims should now be collected for claims payments made after 1 October 2011. It should be noted that the date for collecting claims data for no-fault TPOC claims is unchanged (1 October 2010).

Claims data for liability ORM claims is also unchanged and should continue to be collected for claims payments made after 1 January 2010.

This ongoing activity remains critical to Lloyd's RREs' ability to provide this data to the Lloyd's vendor for future reporting. To assist collection, a template provided by the Lloyd's vendor which can be used to store the required data is available on the Medicare section of [lloyds.com](http://lloyds.com) (see link below). The data can then be uploaded by the Lloyd's vendor once the reporting solution is fully implemented.

### Further Contacts

A central point of reference for Medicare communications and guidance is now available on [lloyds.com](http://lloyds.com) and can be found at: [Link to Medicare section of lloyds.com](#). Managing agents who are unable to access the dedicated area of this section, should contact Lloyd's International Trading Advice (see contact details below)

Lloyd's International Trading Advice:  
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