



Clinical Solutions

June 6, 2018

The Honorable Gus Bilirakis
U.S. House of Representatives
2112 Rayburn HOB
Washington, DC 20515

The Honorable Ron Kind
U.S. House of Representatives
1502 Longworth HOB
Washington, DC 20515

Dear Representatives Bilirakis and Kind:

ExamWorks Clinical Solutions (ExamWorks) writes today to thank you both for your leadership on the Provide Accurate Information Directly (PAID) Act, (H.R. 5881). ExamWorks also writes to urge your colleagues in Congress to support this legislation. The current law has led to a tangled and frustrating system for all parties trying to navigate the Medicare Secondary Payers (MSP) and Medicaid Third Party Liability (TPL) statutes. The bipartisan PAID Act will help untangle that process and ensure each stakeholder is provided timely information in order to ensure a fair result.

A good example of the current tangle is an example of an accident involving a Medicare or Medicaid beneficiary who is covered by another party (i.e. workers' compensation or auto insurance). In such a scenario, MSP policy dictates that the federal programs will not pay for health care expenses when another party is liable, but each stakeholder is left in the dark on details over what is expected of the liable party. The liable party, who acts as the primary payer, is not sure which plan a beneficiary falls under, beneficiaries are unable to reach a settlement because the liable party cannot reasonably estimate their expenses, and taxpayers are stuck with cost-shifting in the interim as the parties seek to untangle the system.

The PAID Act provides a commonsense way to straighten out these issues. The bill simply requires the Centers for Medicare and Medicaid Services (CMS) to share relevant information promptly with the liable party in our example above, which accelerates settlement and CMS' recovery process. By putting this requirement in statute, all stakeholders will benefit from the enhanced clarity and transparency of MSP and TPL claims, while the federal government will enjoy lower costs through the improved coordination between the various parties. In short, this small legislative change will create a more judicious and streamlined process with benefits for all involved.

On behalf of ExamWorks, thank you for your work on this issue and for your sponsorship of the PAID Act. We encourage your colleagues to cosponsor the bill and ensure its speedy passage in both chambers of Congress.

Sincerely,

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