

Fixing Medicare's Broken 'Secondary Payer' Policy



MAIN STREET

I have been trying to reach settlement on this slip-and-fall accident, but no one can tell me how much I might be liable for under the claimant's Medicare Advantage or Part D Plan. So how do I settle?



THE AMERICAN TAXPAYER

Under current law, MA Plans, Part D Plans, and Medicaid can recover, but settling parties have no way to find the right plan



MEDICARE BENEFICIARY

I've been trying for months to reach settlement, but the liable party won't settle until they know what they might owe a Medicare Advantage, Plan, Part D Plan, or Medicaid!

Secondary Payer Today

PAID Act

Fortunately, the PAID Act offers a common sense solution:

- ✓ Settling parties always check with Medicare to determine if a claimant is a beneficiary, and if so how much repayment is owed. Medicare provides this information, but only for Medicare Part A and B. Settling parties want to repay all liens, including amounts owed to Part C and D Plans and Medicaid, at the time of settlement. But there is no way to know whether a claimant is in one of these programs. Only CMS has that data.
- ✓ The solution is simple – if CMS can share information about Parts A and B, they should also be required to share basic information about which Plan or Medicaid program a claimant is in. With that information, settling parties can reach out to the appropriate plan, resolve the lien, and settle.
- ✓ The winners? Beneficiaries, Medicare, and settling parties!



Now we can settle with finality, speed, and no fear of massive penalties for doing the right thing!

Let's not hide the data – we can help connect settling parties with Part C Plans, Part D Plans, and Medicaid to ensure money is repaid faster.

Now, settling parties aren't afraid to settle with me, and can no longer withhold my settlement in escrow indefinitely!

Problem Solved

