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MORATORIUM ON RIGHTS AND RESPONSIBILITY LETTERS LIFTED.

The Medicare secondary payer recovery contractor (MSPRC) released the revised Rights and Responsibilities Letter (RAR) on June 10, 2011. The revised document was refined to abide by the US District Court of Arizona findings in *Haro v. Sebelius* (without mentioning the case). The new RAR letter indicates CMS will not take any collection action during either the appeal or waiver request and removed the comment on interest calculations beginning if the demand is not satisfied within 60 days of receipt of the letter.

The RAR letter broadens the definition of types of insurance and workers' compensation that are subject to potential rights of recovery and adds that Medicare will determine whether it has a recovery claim which must be paid. It clarifies the Conditional Payment Letter (CPL) process and makes mention of the process by which a representative will be given copies of the CPL.

The new RAR letter includes a new version of the Correspondence Cover Sheet, consolidates the MSPRC Mailing address and emphasizes the statement that separate requests for the (CPL) before 65 days of the date of the RAR letter will not result in information being available sooner.

Below is a sample of the new RAR letter.

If you have any questions about the new RAR letter or any other Medicare secondary payer act compliance questions, call Providio Medisolutions at 1-877-253-3120