Liability Medicare Set-Aside Flowchart

Is there a W/C component where W/C is going to stay open and pay for future-related treatment and Rx? — **YES** → No Set-Aside

NO ↓

Was there a recovery for future medical expenses? — **NO** → No Set-Aside

YES ↓

Is the client currently on Medicare?

NO →

Is the client reasonably expected to become eligible for Medicare within 30 months?

*62 years and 6 months old;
*Has applied for SSDI or is currently receiving SSDI;
*Has been denied for SSDI but plans on appealing;
*In the process of appealing or re-filing for SSDI;
*End Stage Renal Disease; OR
*Amyotrophic Lateral Sclerosis (ALS)/Lou Gehrig's Disease.

YES → Gross Settlement >$250k?

NO → No Set-Aside

Gross Settlement >$250k? — **NO** → No Set-Aside?

YES ↓

Will a treating physician state that client will not incur any future-related treatment or Rx?

NO → An arrangement needs to be made to protect Medicare's future interest.

YES → No Set-Aside

YES → Gross Settlement >$25k?

YES ↓

Will a treating physician state client will not incur any future-related treatment or Rx?

NO → An arrangement needs to be made to protect Medicare's future interest.

YES → No Set-Aside

Gross Settlement >$25k? — **NO** → No Set-Aside?

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