Keep Up or Pay Up: Smarter Compliance in 2027



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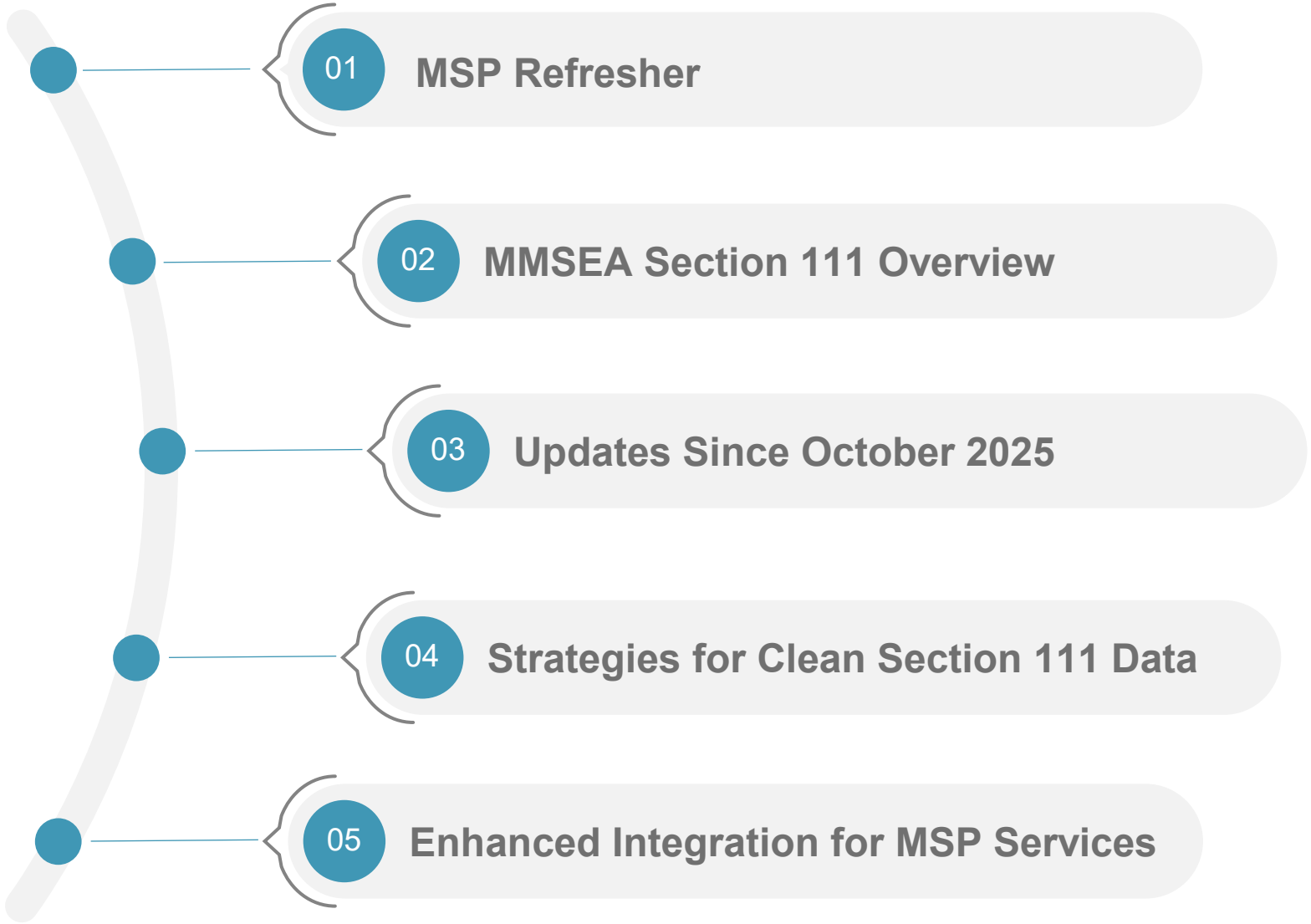
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Agenda



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MSP Refresher



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MMSEA Section 111 Overview



- Discover Billions in Unresolved Conditional Payments
- Cease Making Payments Where a Primary Payer Exists
- Ensure Settlement Adequately Consider Medicare's Interests
- Generate Billions in Revenue for SCHIP Through Fines

MMSEA Section 111 Overview

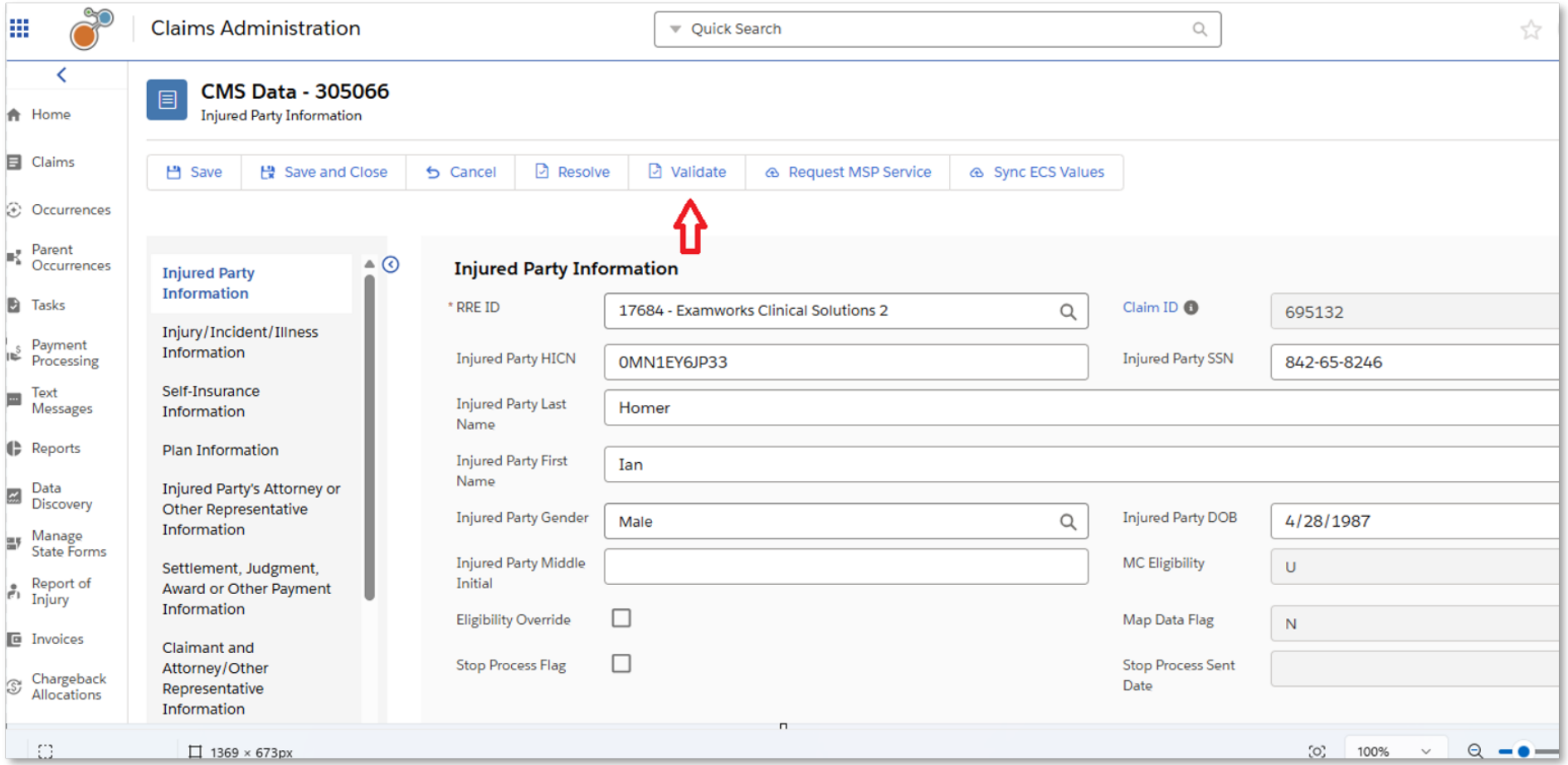
RKCS and ECS Data Exchange

- Eligibility File
  - Claim is in this file first, with “Big5 data”
- Claim File
  - Full Section 111 data is provided for Medicare eligible claims

Depending on Riskonnect platform, files are exchanged biweekly or weekly and ECS returns file on biweekly or weekly basis

MMSEA Section 111 Overview

API Real time updates



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MMSEA Section 111 Overview

Monthly Eligibility Check

- Yes vs. Undetermined
- MAP Data Returned
- Recheck Active Claims Every Month for Updated MAP Data

Quarterly Claim Reporting

- Workers' Comp & NoFault
  - Initial Report, followed by updates as claim progresses
- Liability Claims
  - Generally "one-and-done"



Updates Since Last Year

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Mandatory WCMSA Reporting

- What claims must report WCMSA information to CMS?
- All workers compensation settlements involving a Medicare beneficiary that involve a total payment obligation to the claimant (TPOC)
- This includes TPOC settlements
  - That do not meet the CMS threshold to submit for review in the WCMSA process
  - That includes MSAs that are considered evidence-based / “non-submit” MSAs
  - That includes situations where no money was set aside for future medicals

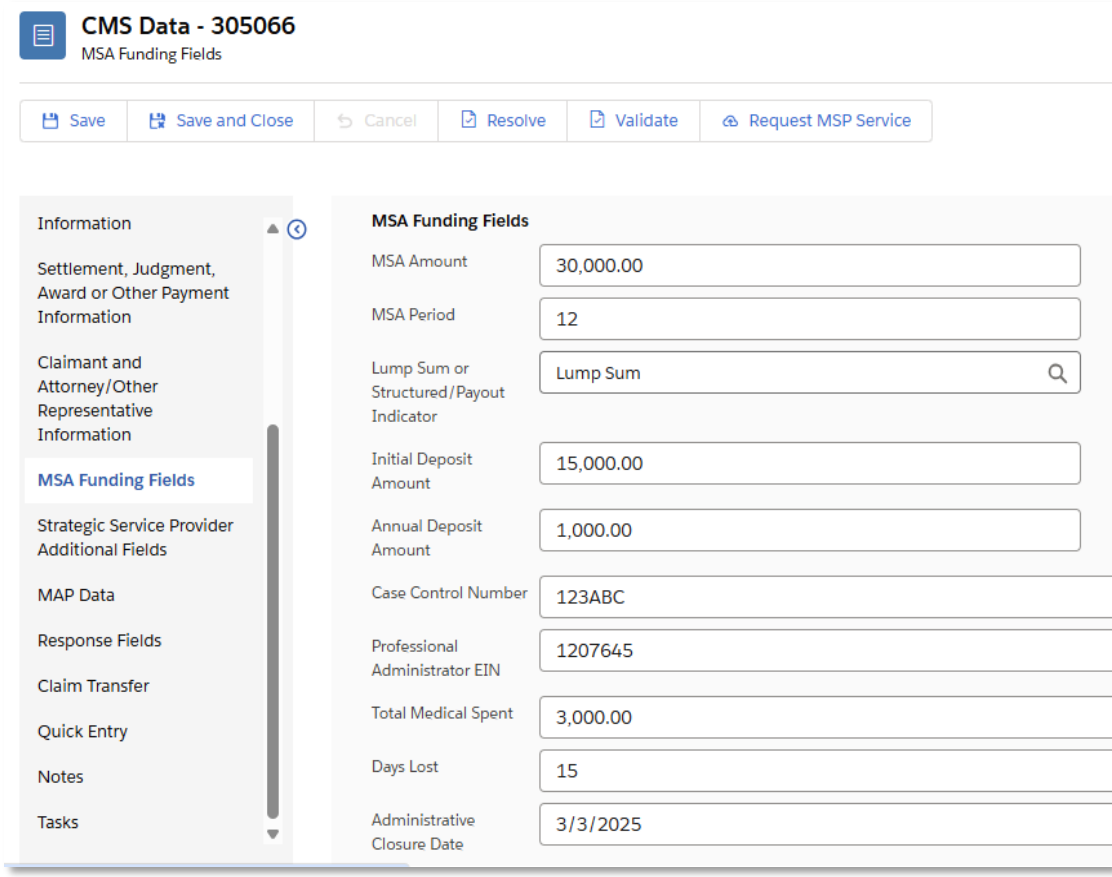
Mandatory WCMSA Reporting

Must Report

- MSA total amount
- MSA period (number of years MSA expected to cover)
- Lump sum or structured payout indicator
- Initial deposit amount
- Anniversary (annual) deposit amount

May Report

- Case control number (WCRC case ID)
- Professional administrator EIN (if applicable)



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Mandatory WCMSA Reporting

Risks associated with failure to report WCMSA Information

- Failure to correctly enter WCMSA information will result in a hard error, meaning the claim will not be accepted by CMS. This could result in civil money penalties if the claim isn’t timely reported.



What have we seen in the data?

- Incorrect TPOCs and WCMSA amounts
  - Specific cases questioned by CMS RO
- Case control number – optional, but– if incorrect – results in a hard error
  - We do not send the Case Control Number since it's optional
- MSA term errors – often entered incorrectly as claimant's age vs years remaining on life expectancy
  - Be sure to verify this information from your medical documentation or allocations

New NGHP User Guide

- Published on October 5, 2026
- Formally inserted all WCMSA policy and technical details
- Clarity on wrongful death settlements
- Removal of erroneous TPOC data

Strategies for Clean Section 111 Reporting

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Section 111 Clean-Up Strategies



Make use of the “5 / $25k” Rule to clean-out old claims

- No treatment in 5 years?
- Less than $25,000 in medicals spent?
- Not an exposure / ingestion / implant claim?

If yes to all three questions, then populate:

- **ORM Termination Date as 5 years from last treatment, and be done with them**
- **(repeat every 6-12 months)**

Section 111 Clean-Up Strategies



- Ensure claims are successfully reported to CMS – monitor claims that have an error status preventing transmission to CMS. Make corrections as needed.
- Update Section 111 reporting as needed.
- Champion or SME lead on Section 111 oversight in-house
- Age 65+, but not Medicare eligible. Was all information entered correctly? Could be incorrect DOB or SSN.
- Safe Harbors:
  - Technical or system issue outside the control of the RRE, or the result of an error by CMS or its contractors
  - The “2 and 1 Rule” (2 attempts via mail or email; 3rd attempt via other reasonable method)

Data Consistency and Accuracy

- Use system mapping where available
  - CMS Date of Incident
  - Claim Number
  - State of Venue
  - Policy Number
  - Plan Insurance Type (WC, Liability, No-Fault)
  - Self Insured Indicator
    - *Self Insured Type*
    - *Legal Name*
- Use default were available
  - TIN Addresses



Section 111 Clean-Up Strategies – Stop Processing

Stop Processing Flag

- Stops all data exchanges between:
  - ECS – CMS
  - ECS – Client
    - No longer included in status file
    - No longer included in MIR Reports

Request a copy of ECS Stop Process guide for more information of when it is appropriate to Stop Process on a Claim.

***Note: Misuse of the Stop Processing flag may lead to improper claim processing that can result in fines levied by CMS.**

Section 111 – Auto Stop Processing

Purpose

Automatically stops claims in the ECS system that are not reportable due to:

- Ineligibility under Section 111 requirements
- Claim closure prior to the reporting eligibility date

Eligibility Requirements

To process non-eligible claims through Auto Stop, ECS must receive:

- ORM Termination information and/or
- TPOC information

Enrollment

- Customers must elect to participate in the ECS Auto Stop program.

Benefits

- Reduces management of aged claims that no longer require reporting.
- Improves reporting efficiency and claim inventory accuracy.
- Supports organizations of all sizes by minimizing unnecessary claim handling.

Section 111 Clean-Up Strategies- Stop Query Process

WC or No-Fault Claim

- When responsibility to pay for related ongoing medical care is permanently ended, where there will be no further payment or settlement, and the claimant is not yet identified as a Medicare beneficiary.
- Denied Workers Compensation or No Fault Claims that meet the following criteria
  - Claim is denied and ORM indicator is “NO”;
  - No settlement has been reached; and
  - Claim status is closed
- When the Injured Party is Medicare eligible, the claim is closed / resolved, and you have received a 03 or 51 Disposition codes on the Quarterly Claim Response File for two consecutive quarters.

Liability

- Liability Claims regardless of whether the injured party is a Medicare beneficiary, and
  - Claims status is closed (for any reason)
  - Claim will not re-open
  - No settlement or other payment has been made, nor is it anticipated that any settlement or payment will be made
- Liability Claims where there has been one query that has already occurred following a settlement, judgment, award, or payment that completely resolves the claim

Request a copy of Query Process FAQ’s for examples and more descriptive information.

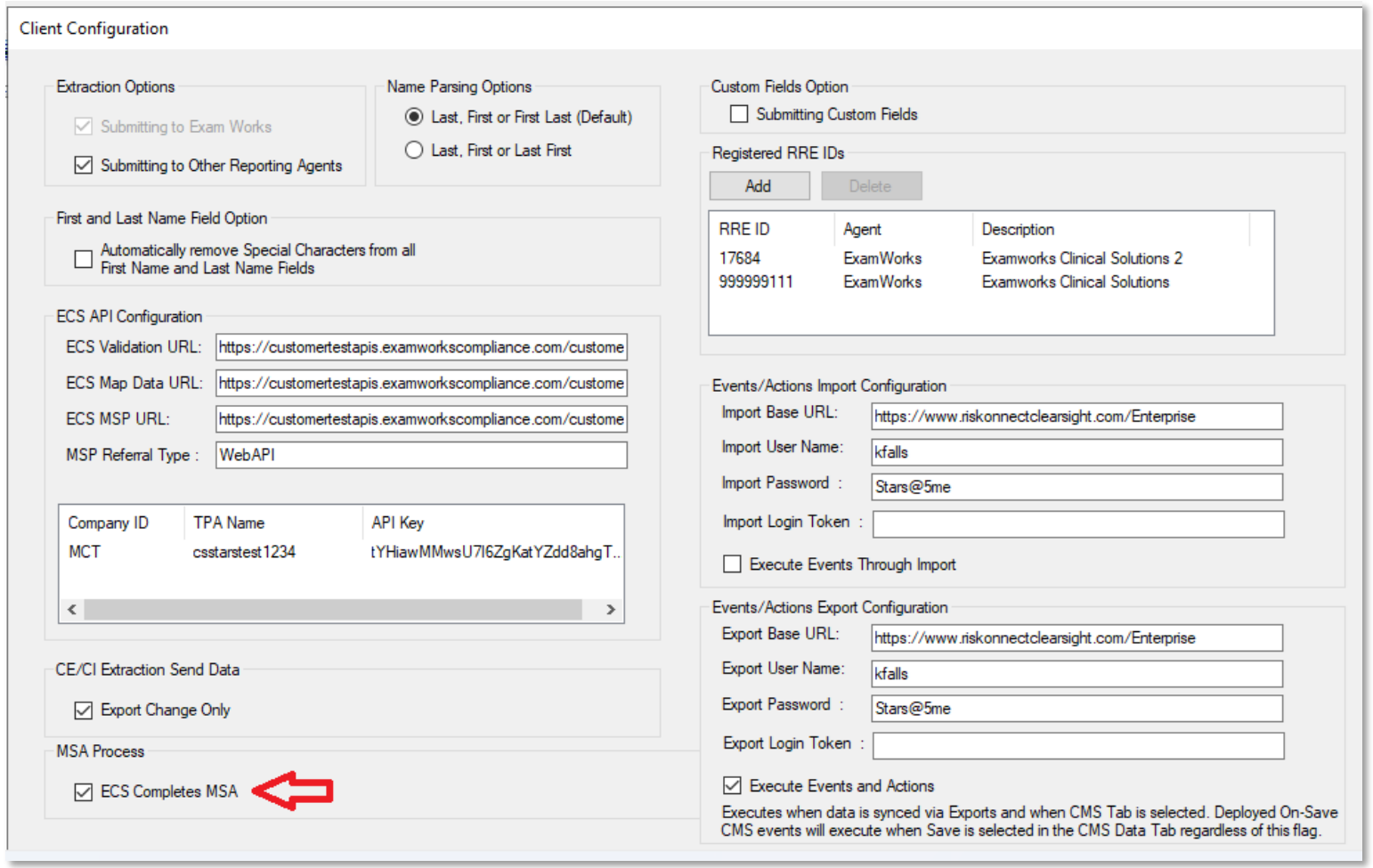
Enhanced Integration for MSP Services



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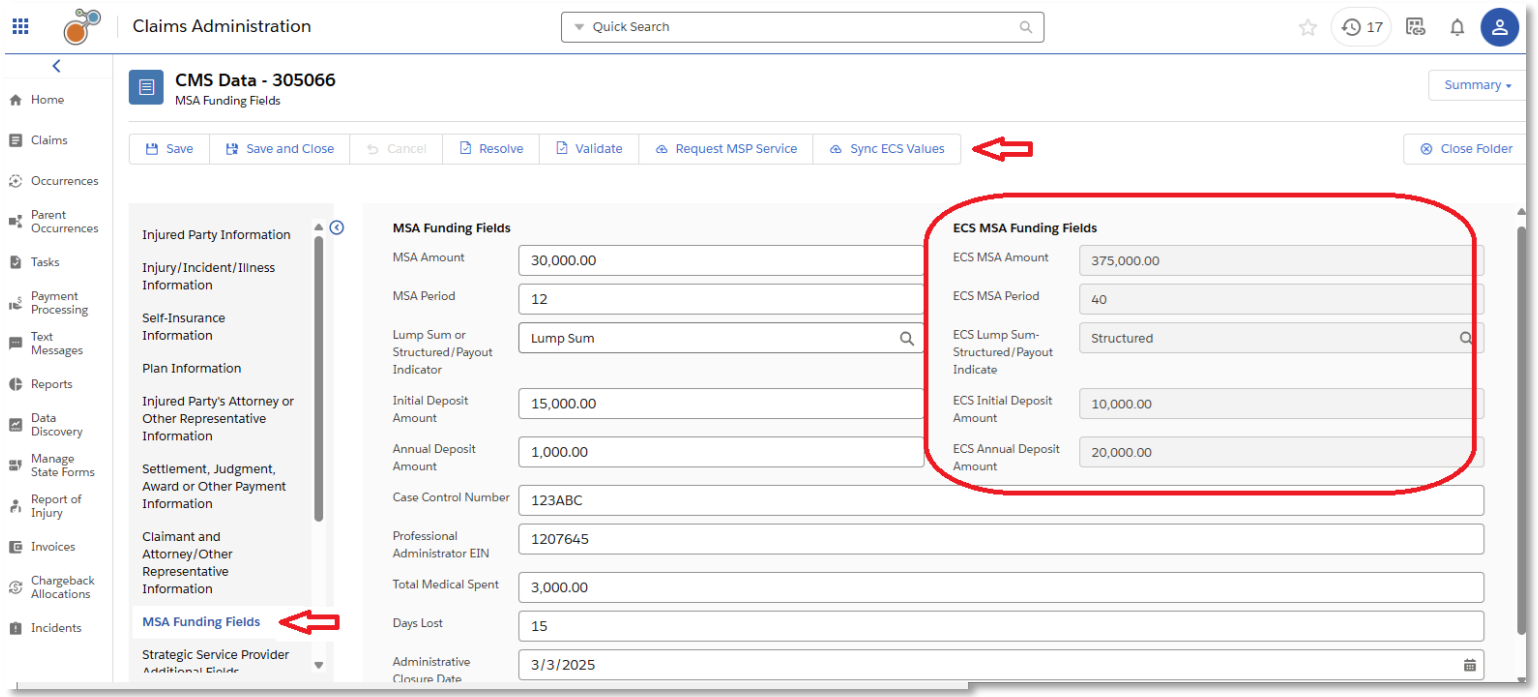
Enhanced Integration for MSP Services

- Additional functionality when ECS manages the MSA
- Activate via CMS Admin in ClearSight



Enhanced Integration for MSP Services

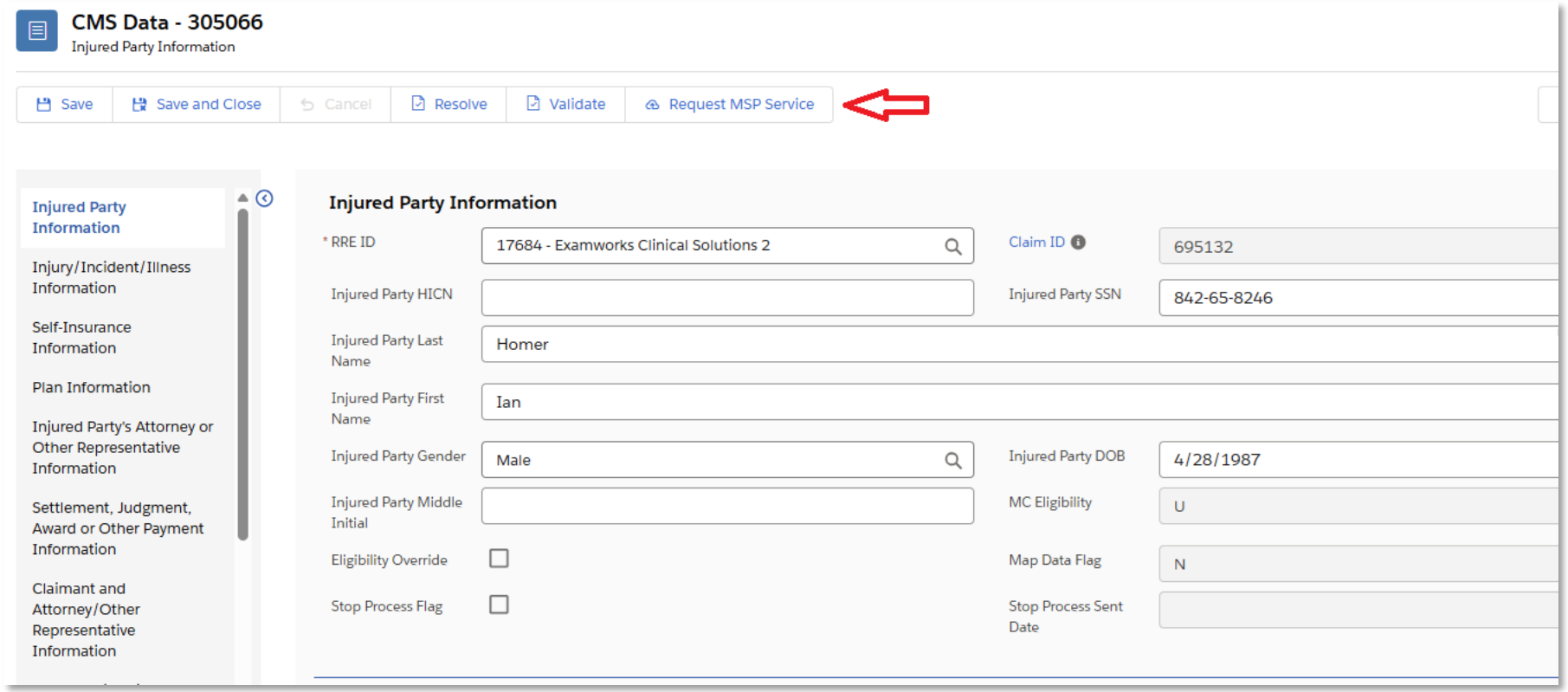
- 5 MSA fields are returned by ECS in the semi-weekly Claims Status File
- Visible in the MSA Fields tab
- Ability to override the client's MSA Fields with ECS values via the "Sync ECS Values" button



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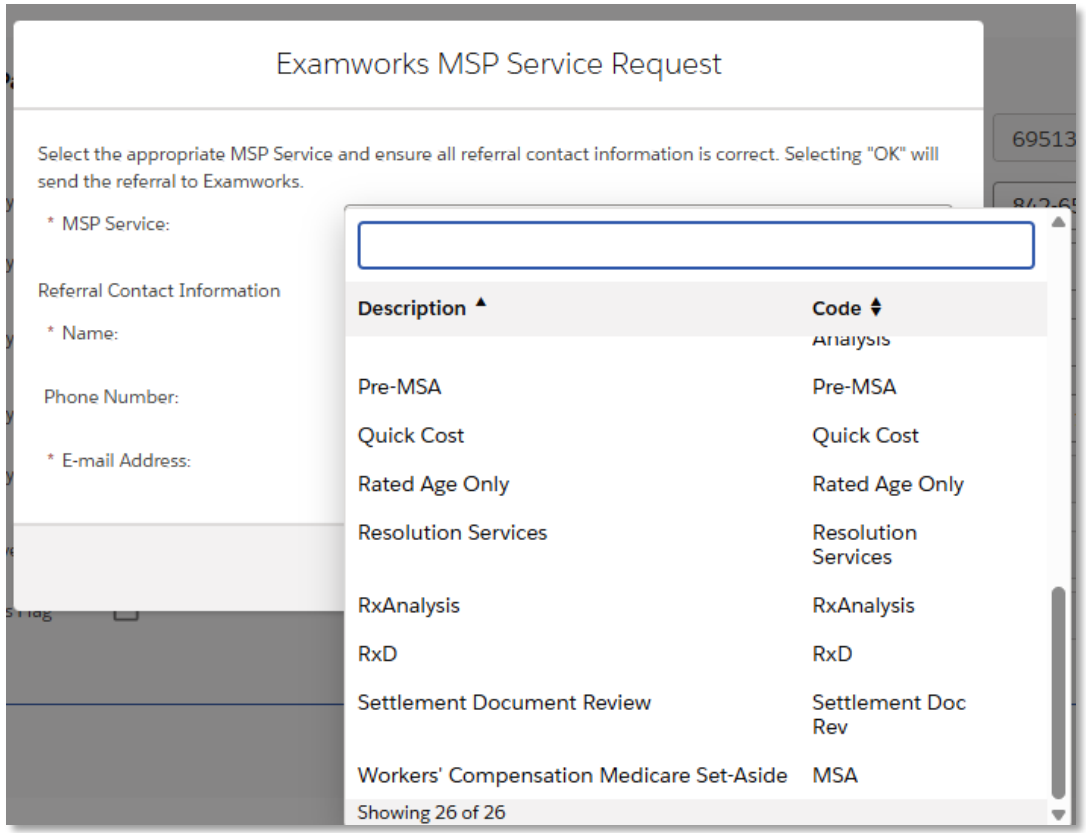
Enhanced Integration for MSP Services

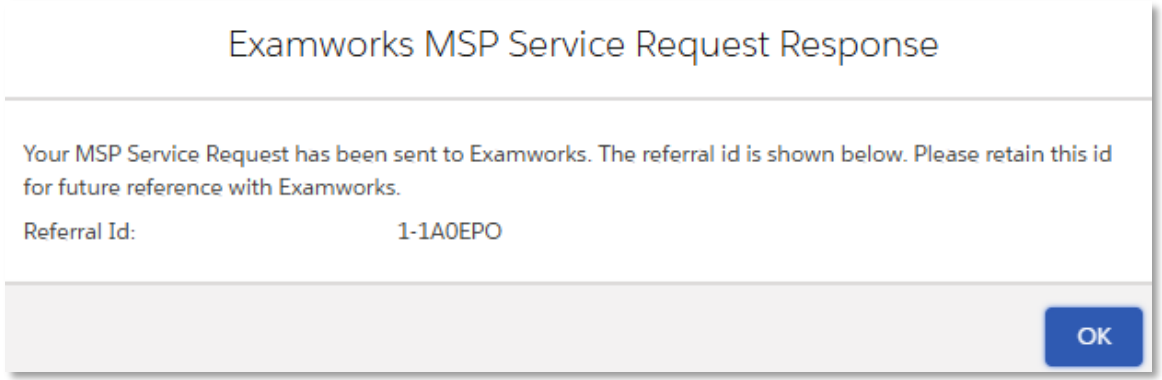
Referrals via the “Request MSP Services” button



Enhanced Integration for MSP Services

Referrals via the “Request MSP Services” button







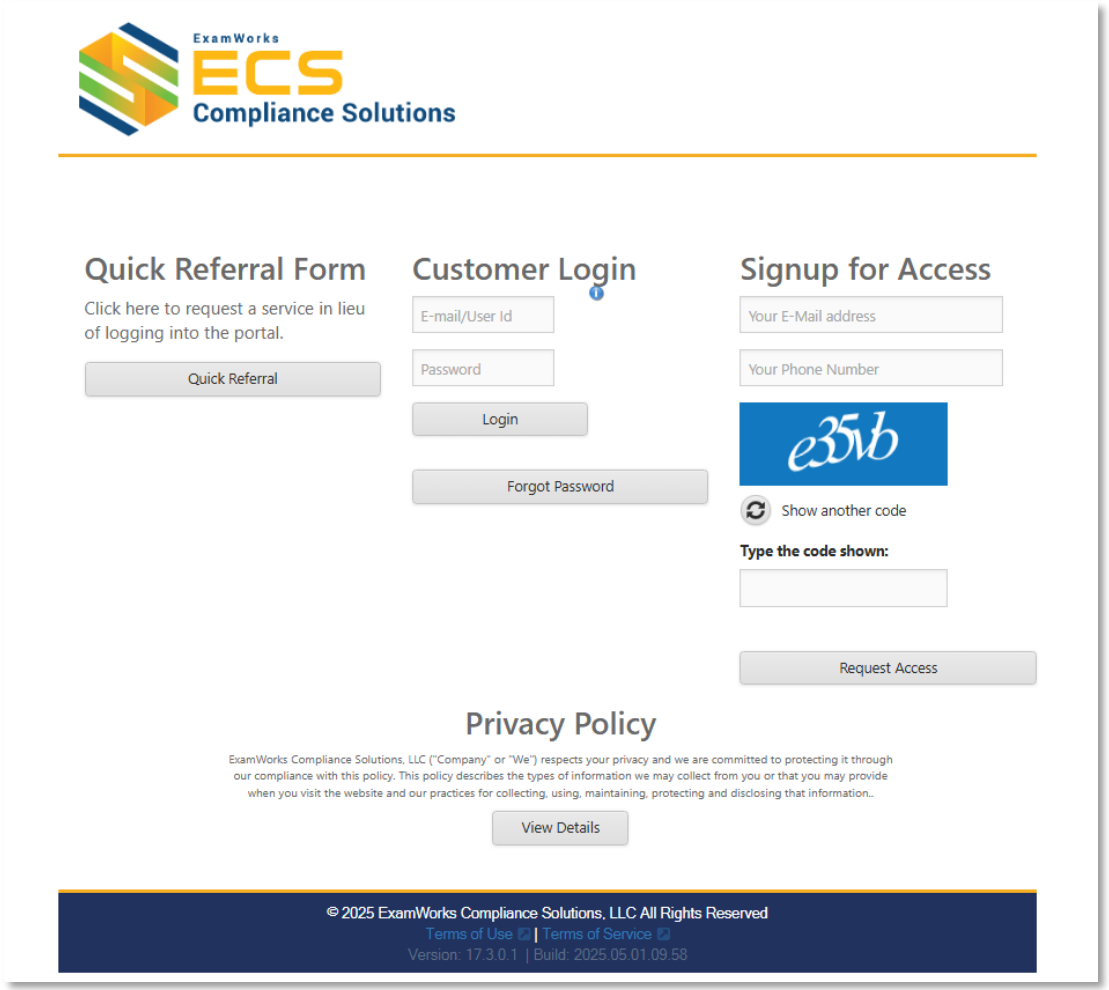
Types of Services Available

- Conditional Payment Services
- Allocation Services
  - WCMSA
  - FMA (under 25K TPOCS and MB)
  - Indemnified / Evidence Based MSAs
- Legal Nurse Reviews and Medical Bill Analysis
- Medical Cost Projections
- Life Care Plans / LCP Rebuttals
- Settlement Document Review Services

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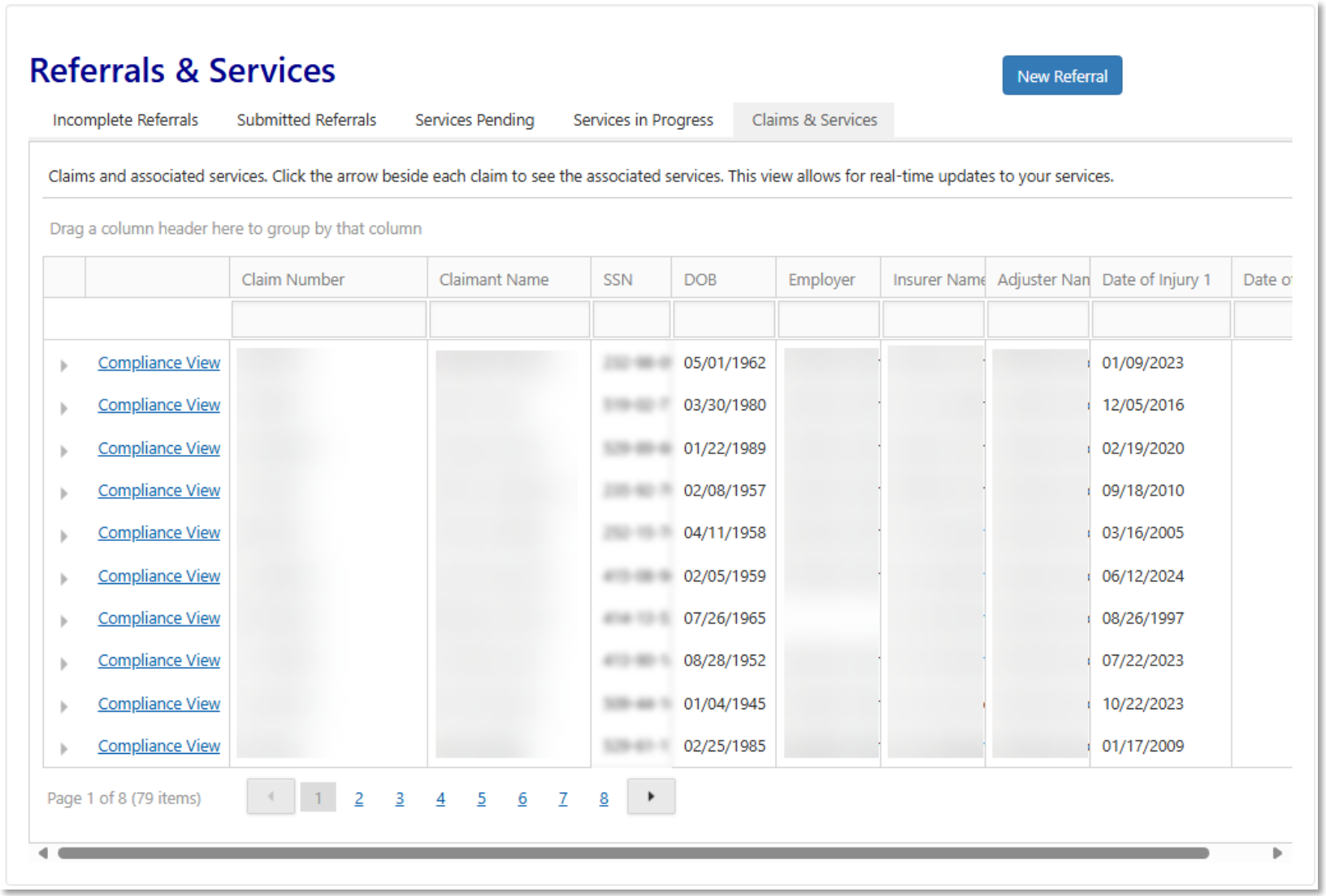
Enhanced Integration for MSP Services: ECS Portal

- ECS Portal provides:
  - Realtime updates
  - Full Compliance Review
  - Download Reports



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Enhanced Integration for MSP Services: ECS Portal

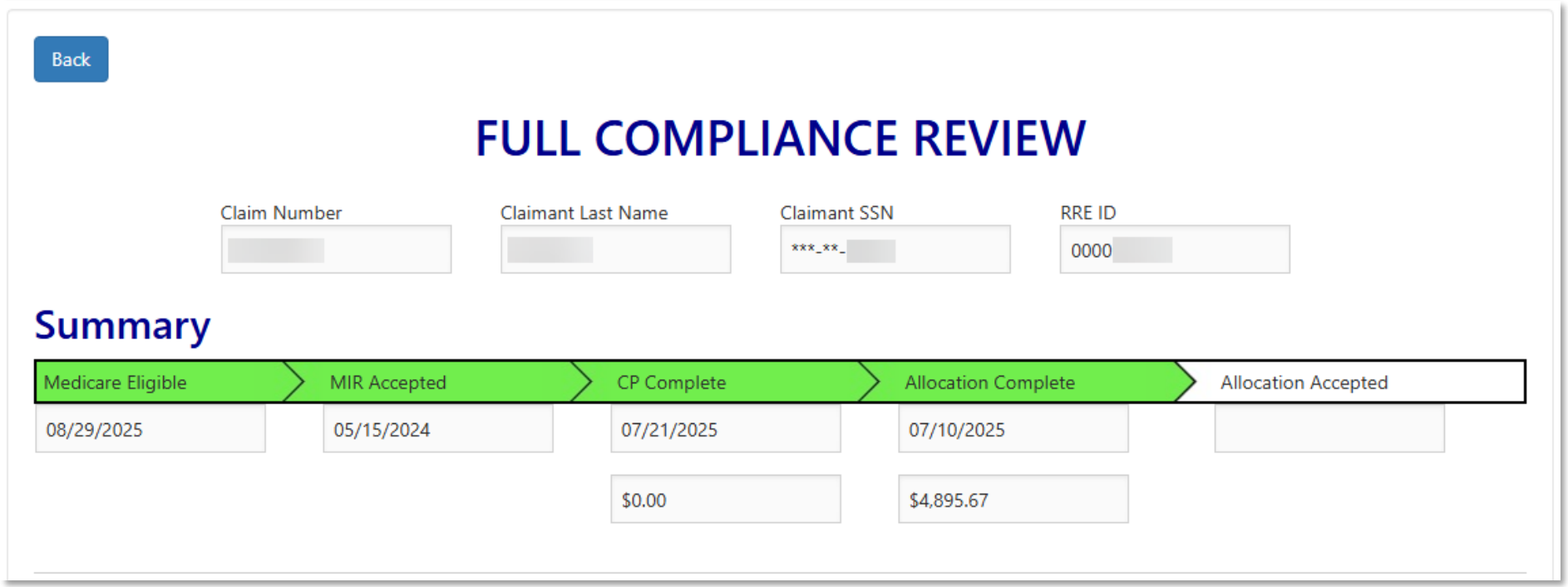


See prior referrals

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Enhanced Integration for MSP Services: ECS Portal

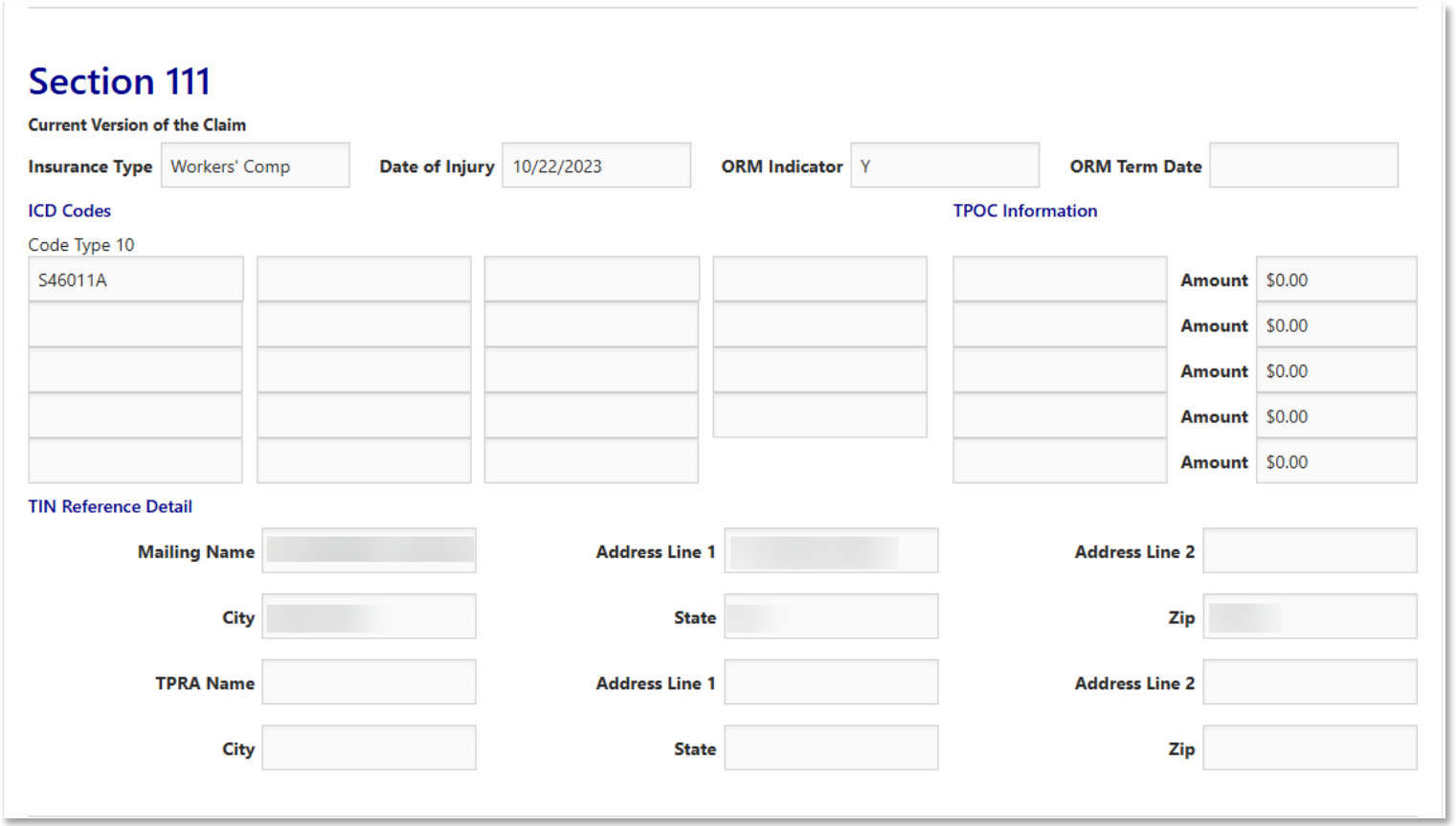
- Full Compliance Review shows key Section 111 and MSP milestones
- Summary:



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Enhanced Integration for MSP Services: ECS Portal

Key Section 111 data



Section 111

Current Version of the Claim

Insurance Type Workers' Comp **Date of Injury** 10/22/2023 **ORM Indicator** Y **ORM Term Date**

ICD Codes **TPOC Information**

Code Type 10

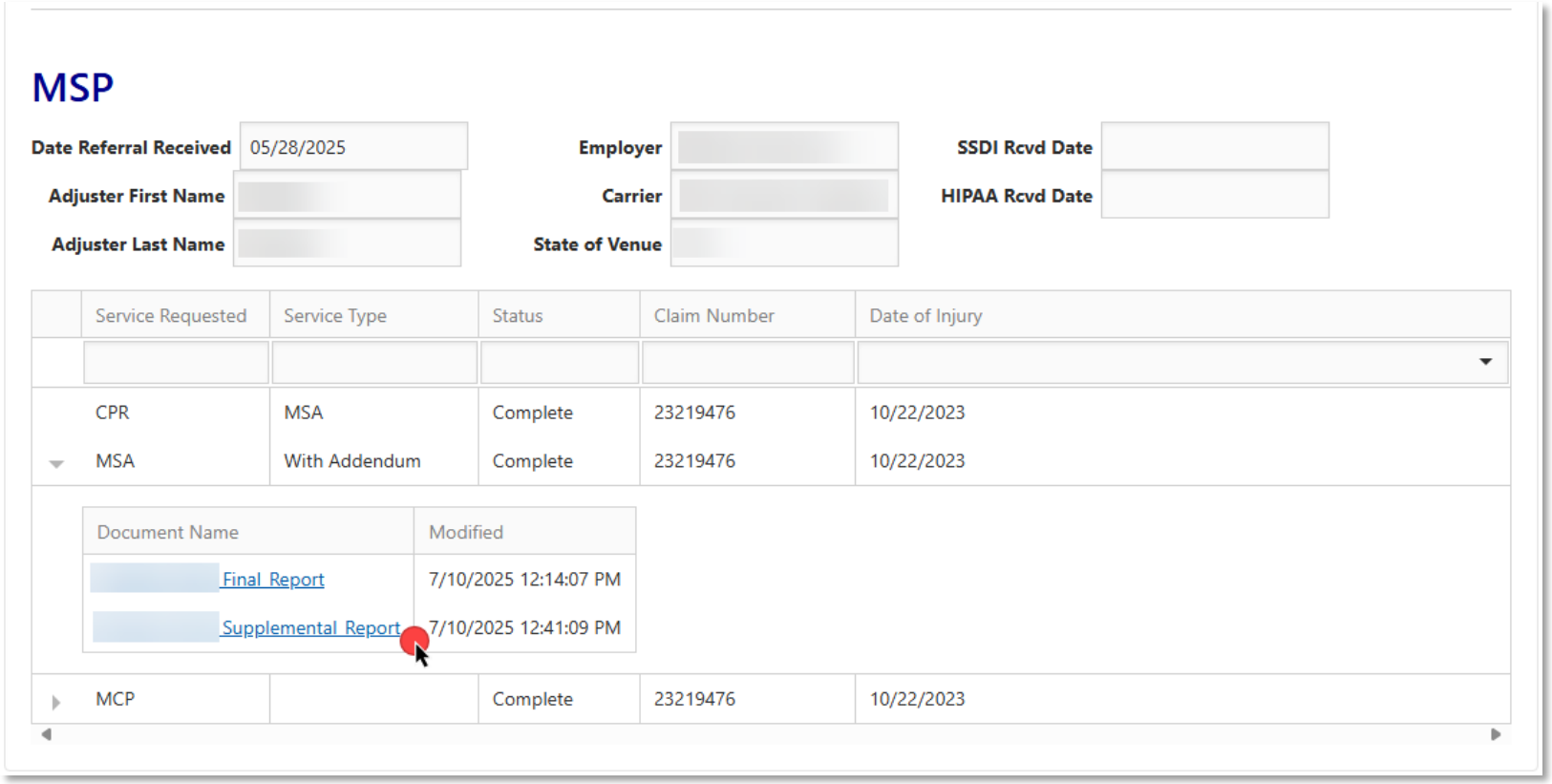
S46011A					**Amount**	$0.00
					Amount	$0.00
					Amount	$0.00
					Amount	$0.00
					Amount	$0.00

TIN Reference Detail

Mailing Name		**Address Line 1**		**Address Line 2**	
City		**State**		**Zip**	
TPRA Name		**Address Line 1**		**Address Line 2**	
City		**State**		**Zip**	

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Enhanced Integration for MSP Services: ECS Portal



Key MSP data & download reports

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THANK YOU
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