



Little, Meyers & Associates, Ltd.

Stay In Touch

Medicare has updated its Compromise/Waiver of Medicare Lien after Settlement of Personal Injury Claim Process. The 10-Steps are as follows:

- 1) Contact Medicare
- 2) Provide Signed Consent to Release Form
- 3) Provide:
 - a) date of Settlement
 - b) amount of Settlement
 - c) amount of Procurement costs (attorney fees, expenses)
 - d) contact for liability carrier
 - e) copy of Settlement Agreement
 - f) copy of Settlement draft/check
- 4) Mail to:
 - Medicare - Coordinator of Benefits
 - PO Box 5041
 - New York, NY 10274-5041
- 5) Medicare will not consider a compromise/waiver until there has been an "overpayment" which does not occur until Medicare has been properly notified of the settlement.
- 6) After proper notice Medicare will send a "Final Determination Letter" (includes reduction for pro rata share of procurement costs deemed appropriate).
- 7) Medicare must be paid within 60 days of receipt of the "Final Determination Letter" even if you request a compromise/waiver the full amount must be paid.
- 8) When you send payment, request a waiver of Medicare lien.
- 9) Medicare will then send an "Overpayment Recovery Questionnaire."
- 10) Complete and return; Medicare has 120 days to decide.

There is ongoing discussion on this process from many perspectives. Changes, if any, will be published by CMS. Being aware of this process and any change is an important part of the settlement process.

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