



Oregon

Theodore R. Kulongoski, Governor

Department of Consumer and Business Services

Workers' Compensation Division
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To: Workers' compensation insurers, self-insured employers, third-party administrators, and attorneys

Subject: DCBS data sharing with the U.S. Department of Health & Human Services; Medicare and workers' compensation settlements

This notice provides information to the workers' compensation industry about the Department of Consumer & Business Services' release of claims data to the U.S. Department of Health & Human Services and Centers for Medicare & Medicaid Services. The release of claims data to CMS may have ramifications for workers' compensation settlements.

Under U.S. federal law, Medicare is precluded from paying for a beneficiary's medical expenses when payment has been made, or can reasonably be expected to be made, under a workers' compensation plan. CMS has established the Medicare Secondary Payor Program to help ensure that Medicare pays only in claims where it has primary responsibility. As part of this program, CMS is obtaining claims data from states to match with their databases of Medicare-eligible beneficiaries.

This notice alerts parties that DCBS has begun releasing claims information to CMS that has been reported and captured in DCBS data systems as part of the federal data match program. Each month, DCBS is providing CMS with information on any workers' compensation claims matching a CMS listing of Medicare-eligible beneficiaries. The shared data elements include the insurer or self-insured employer name and headquarters address as reported to DCBS.

CMS may use this information to contact the insurer or self-insured employer regarding specific claims. If companies need advice concerning their obligations under the federal Medicare laws, we encourage them to consult their legal counsel or CMS.

Additional information regarding the federal program may be found on CMS' Web site at <http://www.cms.hhs.gov/WorkersCompAgencyServices/>.

More

The CMS regional office for Oregon is:

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Centers for Medicare & Medicaid Services
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Please address any questions regarding this notice to Sally Coen, Field Audit Unit Manager, (503) 947-7687 (e-mail, sally.c.coen@state.or.us) or Dan Schmelling, Benefits & Certifications Unit Manager, (503) 947-7706 (e-mail, daniel.p.schmelling@state.or.us).



John L. Shilts, Administrator
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