
FEHB Program Carrier Letter

All Carriers

U.S. Office of Personnel Management
Insurance Operations

Letter No. 2010-16

Date: June 17, 2010

Fee-for-service [12] Experience-rated HMO [12] Community-rated HMO [12]

SUBJECT: Medicare Secondary Payer Recovery Requirements

In recognizing the unique relationships among the Office of Personnel Management (OPM), the Federal agencies, the Centers for Medicare and Medicaid Services (CMS) and the Federal Employees Health Benefits (FEHB) Program Plans, OPM has partnered with CMS to address the unique issues and circumstances that arise concerning coordination of benefits between Medicare and the FEHB Program Plans.

Section 111 Reporting

CMS has included important instructions in the Section 111 reporting guidelines that enable CMS to identify FEHB Program coverage information. Attached is the information that CMS provided at the March 2010 FEHB Program Carrier Conference. Below is the information that all FEHB Program Plans should submit on their Section 111 Taxpayer Identification Number (TIN) Reference Files for the employer. As stated in the attachment from CMS, no Responsible Reporting Entities (RREs) should be submitting a specific Federal agency's information; the information should all be the OPM information (see below) for the employer. All RREs are required to submit an **F in the TIN Indicator field, indicating this is a Federal employer.** (Previously the requirement was to submit an E in the field, which is no longer applicable.) Please be sure to verify this information.

To properly submit the **Employer** TIN Reference File, please use the following:

TIN (EIN): **521136517**

Name: **US OFFICE OF PERSONNEL MANAGEMENT**

Address Line 1: **1900 E STREET NW**

City: **WASHINGTON**

State: **DISTRICT OF COLUMBIA**

Zip Code: **20415**

TIN Indicator: **F**

RREs are required to report specified Medicare Secondary Payer (MSP) information regarding group health plans to CMS for coverage periods in effect on and after January 1, 2009. All FEHB Program Plans should submit production files. OPM and CMS will monitor your compliance.

Any Plan that does not submit Section 111 production files should work with the Coordination of Benefits Contractor (COBC). Any FEHB Program Plan that is not sending production files or working with the COBC should do so immediately. Should your Plan have any questions, please contact the COBC at 646-458-6740.

MSP Recovery Demands

While the primary goal of Section 111 data is to ensure proper primary and secondary payment, there are times when the data will be received after Medicare has already made mistaken payments. CMS has agreed with OPM to send MSP Recovery Demands directly to the FEHB Program Plan and not to the Federal agency since agencies have no appropriated funds to reimburse Medicare. The use of OPM's TIN and Name in the Section 111 reporting identifies the individual as being covered under the FEHB Program.

Under the OPM/CMS agreement, the FEHB Program Plan will be identified as the debtor on CMS' internal systems. As the debtor, it is the FEHB Program Plan's responsibility to reconcile the demand. FEHB Program Plans can be referred to the United States Department of Treasury for collection if the debt is not resolved timely.

If you have any questions, other than those related to Section 111 production files, please contact Ellen Gay at megay@opm.gov. Thank you in advance for your cooperation in this matter.

Sincerely,

Kathleen McGettigan
Acting Associate Director
for Retirement and Benefits