



Related MLN Matters Article #: MM3530

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### *MMA - Revisions to Medicare Appeals Process for Fiscal Intermediaries (CR Title-Appeals Transition – BIPA 521 Appeals)*

#### Key Words

MM3530, CR3530, R1460TN, Appeals, BIPA, 521, MRN, QIC, Redetermination, ALJ Determination, Reconsideration, Dismissals, RA, MMA

#### Provider Types Affected

All Medicare providers who submit claims to Medicare fiscal intermediaries (FIs), including regional home health intermediaries (RHHIs)

#### Key Points

- The effective date of instruction varies as noted in this job aid.
- The implementation date is April 25, 2005.
- There is now a new second level of the appeals process for Medicare Part A and Part B claims submitted to Medicare FIs called a reconsideration.
- These revisions do not apply to claims submitted to Medicare carriers and/or redeterminations processed by carriers.
- These new reconsiderations will be processed by Qualified Independent Contractors (QICs).
- All redeterminations issued by FIs on or after May 1, 2005 will have the right to appeal to a QIC for Part A and Part B claims.
- All redeterminations issued before May 1, 2005 will have the right to appeal to the Administrative Law Judge (ALJ) for Part A claims and to the hearing officer (HO) for Part B claims.
- The key changes to the appeals process are categorized as follows:
  - New Language for Redetermination Letters for Redetermination Decisions Issued On or After May 1, 2005
  - Redetermination Letters for Fully Favorable Decisions
  - Extension to the 60-day Decision-Making Time Frame

- Telephone Requests for Redeterminations of Initial Determinations Made On or After May 1, 2005
- Additional Information Requirements for Written Redetermination Requests Effective with Initial Determinations Made On or After May 1, 2005
- Consolidating Requests for Multiple Parties on Redetermination Requests Received On or After May 1, 2005
- Filing Reconsideration Requests on Redeterminations Issued On or After May 1, 2005
- Effectuation of QIC Decisions For all Redetermination Made On or After May 1, 2005
- New Appeal Rights for Medicare Providers & Assignment Rights for Medicare Providers Effective May 1, 2005
- New Appeal Rights for Overpayments and Reopenings for Revised Initial Determinations Issued On or After May 1, 2005
- New Appeal Rights for Dismissals for All Redeterminations Issued On or After May 1, 2005, including:
  - Appealing a Dismissal
  - Vacating a Dismissal
  - Dismissal Letters – Effective date is May 1, 2005
  - Incomplete Requests
- Preparing Case Files for Administrative Law Judge (ALJ) Hearings for All Redeterminations Issued On or After May 1, 2000
- Effectuation of ALJ Decisions
- Redetermination Acknowledgement Letters

The details of these topics may be found in the reference links below.

### Important Links

The related MLN Matters article can be found at <http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM3530.pdf> on the CMS web site.

Change Request (CR) 3530 is the official instruction issued to the FI/RHHI regarding changes mentioned in this article. CR 3530 may be found by going to <http://www.cms.hhs.gov/Transmittals/downloads/R146OTN.pdf> on the CMS web site.

If providers have any questions, they may contact their FI/RHHI at their toll-free number, which may be found at <http://www.cms.hhs.gov/MLNProducts/downloads/CallCenterTollNumDirectory.zip> on the CMS web site.