

**COOPERATIVE AGREEMENT**

**BUREAU OF CHILD SUPPORT**

**AND**

**BUREAU OF THIRD PARTY RECOVERY**

TNS # 91-22  
SUPERSEDES  
TNS # 87-01

APPROVAL DATE 11-20-91  
EFFECTIVE DATE 10/1/91

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I. Purpose of Agreement and Definition of Parties

This agreement is entered into between the Ohio Bureau of Child Support and the Ohio Bureau of Third Party Recovery for the purpose of establishing and enforcing medical support liability of absent parents for the children who are eligible for Medicaid coverage. The authority for this agreement is contained in the Code of Federal Regulations 42 CFR Part 433 151-154 and 45 CFR Parts 302 and 306.

The Ohio Department of Human Services (ODHS) is the single state agency responsible for administering both the Medicaid and the Public Assistance programs in the State of Ohio.

The Office of Management Information Systems is the unit within ODHS responsible for the operation of the Medicaid computer systems in the State of Ohio. The office retains final responsibility for Third Party liability functions not covered by this agreement.

The Bureau of Third Party Recovery (TPR) of the Division of Claims Processing shall represent the Medicaid office in the administration of this agreement. The Bureau is charged with overall management of Third Party efforts and has the Third Party Resources Unit for this purpose. The Third Party Resources Unit is the focal point of all third party recovery activities for ODHS.

The Office of Benefits Administration is the unit within ODHS responsible for administering the public assistance programs in the State of Ohio.

The Bureau of Child Support (BCS) of the Division of Public Assistance shall represent the Public Assistance office in the administration of this Agreement. The Bureau is the unit delegated all IV-D responsibilities by the Director of ODHS as the cognizant unit for all IV-D matters. The Child Support Enforcement Agencies (CSEA), operating as the local IV-D agencies, are the units responsible for medical support enforcement activities.

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II. ODHS Form 6612 - Health Insurance and ODHS Form 6613 - Casualty Insurance

These forms are the media used to collect and transmit the medical support information secured by the IV-A and IV-D Units, according to federal regulations and the state plan, to the BTPR. The 6612 and 6613 forms are initiated at the IV-A level upon initial Medicaid eligibility determination and redetermination (6 months). Upon the detection of third party information, the CSEA shall forward a 6612 or 6613 to IV-A. The IV-A unit shall forward copies of 6612 and 6613 to BTR which are IV-A originated and which are received from the CSEA.

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When the 6612 and 6613 forms are received by the BTPR, all information is entered on-line into the MMIS Third Party Master File. The 6612 and 6613 forms meet federal information requirements found at 45 CFR 306.50 (a).

III. Bureau of Third Party Recovery (TPR) Responsibilities:

1. The Bureau of Third Party Recovery (BTPR) is responsible to insure that the ODHS forms 6612 and 6613 are designed to accommodate the transmittal of the medical support information required by the federal regulations and in accordance with the state plan.
2. Establish and maintain necessary liaison with CSEAs, through the Bureau of Child Support, and provide training/technical assistance on all third party related activities and/or regulatory changes as needed to insure successful operations (e.g., completion of the ODHS 6612 form, cost avoidance, subrogation, etc.).
3. Receive, review, validate and process all 6612 and 6613 forms forwarded to the BTPR in a timely manner from the CSEAs.
4. Insure that all data received by the BTPR are accurately entered into the MMIS Third Party Case Master File.
5. Effect coordination with MMIS staff to insure that appropriate third party edits are operational and enforced within the system that will maximize use of the Data reported on the 6612 and 6613 forms.
6. Effect rejection of medical claims back to the provider so that they may bill the third party identified, based on medical support information provided by the IV-A units and by CSEAs on the 6612 form, and use the 6613 form to initiate post payment recovery.
7. Insure compliance with federal regulations in accordance with the state plan; in addition, adherence to the Ohio Medicaid Handbook.
8. Effect coordination with the Bureau of Child Support on provisions governing any other matters of common concern.
9. Maintain close liaison with the Bureau of Public Assistance Policy for update of the Ohio Public Assistance Manual.

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IV. Bureau of Child Support Responsibilities:

1. The Bureau of Child Support will act as liaison to effect that degree of coordination between both the IV-A units and CSEAs to facilitate the timely submittal of all available medical support information using the ODHS 6612 and 6613 forms.
2. The CSEA shall gather all available medical support and health insurance information from the custodial parent or the absent parent.
3. In public assistance cases, information may have already been obtained and recorded on the 6612 and 6613 forms by the IV-A unit. The CSEA shall obtain a copy of the completed forms at the time of intake or upon redetermination (formerly redetermination).

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4. Any additional or revised information which the CSEA obtains in the course of its activities must be recorded on the 6612 and 6613 forms and promptly forwarded to the IV-A Unit.
5. The social security number of the absent parent shall be added, whenever possible, to the block in Section I of the 6612 forms, which indicates "Policy Holder Name."
6. The CSEA shall notify the IV-A Unit when a new or modified court order for child support includes medical support. The notice is to include, but is not limited to, the following:
  - A. The absent parent's name, social security number and home address.
  - B. Absent parent's employer name and address.
  - C. Insurance policy name and number.
  - D. Names of all persons covered by the policy.
7. The CSEA shall establish or modify a court order for the sole purpose of including or enforcing medical support. However, in the course of establishing or enforcing a cash support obligation, the CSEA shall pursue medical support as appropriate and advise the IV-A unit.
8. The CSEA shall petition for medical support whether or not employment-related or other group health insurance coverage is currently available to the absent parent. When it is not currently available, the CSEA shall petition for an order requiring the absent parent to acquire health insurance at the first opportunity.
9. The IV-A Unit is primarily responsible for mailing the ODHS 6612 and 6613 (ODHS PAM ) to the BTPR. However, a coordinated "Loop" of medicaid support information exchange between the IV-A and CSEA activity is required. The CSEA can and should initiate a 6612 and 6613 form when new medical support information is acquired and there is not a 6612 or 6613 form on File from the IV-A Unit.
10. The CSEA, operating as the local IV-D agency, shall accept referrals of IV-A, IV-E, and medicaid only (with an absent parent) cases for recovery of birth costs and collection of court ordered medical support cash payments.
11. The CSEA shall recover birth costs incurred by Medicaid. Said costs shall be collected directly from the absent parent. The CSEA is not responsible for collecting health insurance payments.

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12. As prescribed in 45 CFR 306.11 (b) the CSEA shall establish and maintain case records of medical support enforcement activities in accordance with provisions of 45 CFR 302.15.
13. The CSEA shall insure that as a result of its efforts in collection of court ordered medical support cash payments and recovery of birth costs there will be no decrease in Child Support Enforcement program activities, personnel or resources from the level allocated for the quarter in which this agreement becomes effective. The CSEA shall ensure sufficient personnel and resources to collect court ordered medical support payments, maintain paternity establishment of all appropriate cases and recovery of birth costs associated with the cases.
14. Insure compliance with federal regulations in accordance with the State plan; in addition, adherence to the Ohio Public Assistance Manual (PAM) and the Child Support Enforcement Manual (CSEM).

V. Financial Relationships

A. Funding

Only those administrative costs incurred which are associated with the provision of optional services as described in Section IV (10) and (11) are reimbursable. As prescribed in 45 CFR 306.11 (d)(1) and (2), the CSEA shall properly identify those administrative costs which are incurred as a result of CSEA activities for collection of court ordered medical support cash payments and recovery of birth costs. The CSEA shall properly allocate those costs that cannot be directly charged to collection of court ordered medical support cash payments and recovery of birth costs. The CSEA shall also identify medical support collection amounts. The CSEA shall maintain an intermediate accounting system supported by accounting source documents for these costs. The function that the CSEA is required to perform to reimburse medicaid is reimbursable through an agreement between the CSEA and CDHS to ensure the flow of funds for CSEA administrative effort devoted to medical support collections. The CDHS shall charge the contract cost to the IM allocation.

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B. Incentive Payment

The Bureau of Third Party Recovery shall allow an incentive payment for medical costs which are the direct result of collection actions taken by the Child Support Enforcement Agency (CSEA). The CSEA shall retain 15% of the gross collections sent to the BTPR.

The incentive payment shall be equal to 15% of the amount collected and shall be made from the federal share of that amount.

VI. Performance Review

1. The Bureau of Child Support and Bureau of Third Party Recovery shall perform the following joint functions:
  - a. Monitor the operation of the agreement.
  - b. Establish periodic performance reviews for both parties to reinforce effective and efficient operation of the agreement.
  - c. Meet periodically, as need by to evaluate the operation of the agreement and consult promptly regarding any problems that may occur.
2. Major policy and procedural matters and questions of compliance with the terms of this agreement will not be handled by the respective Bureaus. Disputes which cannot be resolved by the parties to the agreement will be referred through channels to the Director of the Ohio Department of Human Services for resolution.

VII. Contract Length

1. This agreement shall be effective from the date of signatures and is considered automatically renewed annually unless otherwise indicated.
2. This agreement may be cancelled at any time by mutual consent, or if not be such consent, either party may cancel this agreement at any time by giving 30 days written notice to the other party.
3. Amendments may be introduced to this document by mutual consent and written agreement of both parties at any time.

VIII. Confidentiality

The Bureau of Child Support and the Bureau of Third Party Recovery agree to honor and insure the confidentiality of all information relating to medicaid recipients and absent parents according to the regulations in 42 CFR Subchapter C. Part 430, Subpart F. In accordance with 45 CFR 306.11(c) use or disclosure of information concerning applicants for, or recipients of medical support enforcement services is subject to limitations in 45 CFR 303.21.

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IX. Signatures

*Elizabeth Lightle*  
Elizabeth Lightle, Chief  
Bureau of Child Support  
8/24/90  
Date

*Howard Riley*  
Howard Riley, Chief  
Bureau of Medicaid Services  
8/29/90  
Date

*Roland T. Hairston* *RW*  
Roland T. Hairston, Director  
Ohio Department of Human Services  
8-30-90  
Date

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