

ADMINISTERING YOUR LUMP SUM WORKERS' COMPENSATION MEDICARE SET-ASIDE ARRANGEMENT (MSA)

You have chosen to personally administer the MSA account established as part of a Worker's Compensation settlement. It is important that you understand The Centers for Medicare and Medicaid Services' (CMS) policies regarding MSA's.

Medicare regulations found in Title 42 of the Code of Federal Regulations §411.46, state that Medicare will not pay for Medicare-covered medical expenses of Medicare-covered prescription drug expenses related to your work-related injury until the MSA funds have been exhausted. Your WCMSA funds must be used to pay for all Medicare-covered medical expenses and Medicare-covered prescription drug related to the workers' compensation injury, illness or disease. A CMS lead Medicare contractor will monitor your expenditures from the MSA account upon receipt of the annual self-attestation letter that you are required to submit. Once the lead contractor has confirmed that the WCMSA funds have been exhausted appropriately, Medicare will begin paying for covered-services related to the workers' compensation injury, illness or disease.

Instructions for establishing and administering a MSA account are listed below. If you have any questions regarding these requirements, please contact the CMS lead Medicare contractor at the following address:

MSPRC
PO BOX 33828
DETROIT, MI 48232-3828
Attention: MSP – Medicare Set-aside Reconciliation

Establishing and Using your Medicare Set Aside Account

- WCMSA funds must be placed in an interest-bearing account, separate from your personal savings or checking account.
- MSA funds may only be used to pay for medical services and prescription drug expenses related to your work injury that would normally be paid by Medicare.
- Examples of some items that Medicare does not pay for are: acupuncture, routine dental care, eyeglasses or hearing aids and therefore, these items can not be paid from the MSA account. You may obtain a copy of the booklet "Medicare & You" from your Social Security office for a more extensive list of services not covered by Medicare.
- If you have a question regarding Medicare's coverage of a specific item or service to determine if you may pay for it from the MSA account, call 1-800-MEDICARE (1-800-633-4227) or search the following CMS websites:

www.medicare.gov
www.cms.hhs.gov/home/medicare.asp

Please note: If payments from the MSA account are used to pay for services other than Medicare allowable medical expenses related to medically necessary services or supplies, Medicare will not pay injury related claims until these funds are restored to the MSA account and then properly exhausted.

Record Keeping

- As Administrator of the account, you will be responsible for keeping accurate records of payments made from the account. These records may be requested by CMS' lead Medicare contractor as proof of appropriate payments from the MSA account.
- You may use the MSA account to pay for the following costs that are directly related to the account:
 - Photocopy charges
 - Mailing fees/postage
 - Any banking fees related to the account
 - Any taxes due on income earned by the MSA account
- Annually, you must sign and forward a copy of the no later than 30 days after the end of each year (beginning with one year from the establishment of the MSA account).
- Annual self-attestation should continue through depletion of the MSA account to the CMS lead Medicare contractor assigned by CMS.
- **DO NOT SEND YOUR ANNUAL ACCOUNTING TO CMS**