

> Third Party Liability

An illustrated companion to the interactive courses at: MedicaideLearning.com.

This topic includes content from the exclusive Third Party Liability course in addition to the foundational Medicaid Basics course.



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Payer of last Resort

Medicaid is the payer of last resort. This means that you bill other liable parties before billing Medicaid.

Service to beneficiary

All primary payers

Medicaid pays last

This is because of...



Cost Avoidance

- federally mandated policy
- designates Medicaid the "payer of last resort"
- requires Medicaid to search for other potentially liable payers before paying the claim

Cost avoidance is facilitated by...

Coordination of benefits (COB)

- Organizes a processing hierarchy
- Eliminates duplication of payment

COB applies to...

- a beneficiary covered by more than one health plan.
- all health plans and other payers.
 - Private insurance
 - Medicare

Check Eligibility

Are there additional insurances besides Medicaid? It's your responsibility to check. How?



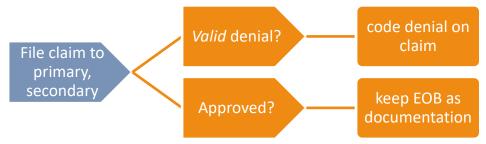
TPL Coverage Sources

Some TPL policies are health insurance and Medicare and some will fall under casualty.



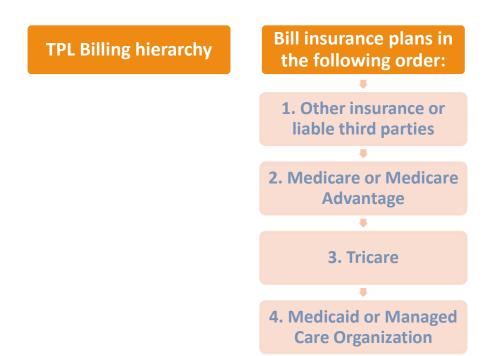
Sequential Billing

File correctly to the other insurances in a hierarchal manner—primary, secondary, etc. Then, wait to hear back from each of them. Lastly, bill Medicaid as the payer of last resort.



Dually Eligible Sequence

Do any of your patients have both Medicare and Medicaid?



Notice, Medicaid is still the last payer.

Health Insurance Information Referral Form (HIIRF)

Is the beneficiary covered by other health insurance that Medicaid doesn't know about? Report this TPL information on claims... or on a HIRF.

	Provider or Department Name:	Provider ID or NPI:	
	Contact Person: Phone #:		
1	ADD INSURANCE FOR A MEDICAID BENEFICIARY WIT		
	MANAGEMENT INFORMATION SYSTEM (MMIS) – ALL: Beneficiary Name:	Date Referral Completed:	Third-party insurance
	Medicaid ID#:		
	Insurance Company Name:	Group Number:	
	Insured's Name:	Insured SSN:	Policy changes and
	Employer's Name/Address:		- oney enanges and
п	CHANGES TO AN INSURANCE RECORD THAT IS IN THI	MMIS _ MIVS SHALL WORK WITHIN	5 DAVS
"	a. beneficiary has never been covered by the po		SBAIG
	b. beneficiary coverage ended - terminate cove		_ 1
	c. subscriber coverage lapsed - terminate cover	rage (date)	Carrier changes
	d. subscriber changed plans under employer - r	new carrier is	
	- new poli	cy number is	
	e. beneficiary to add to insurance already in M	MIS for subscriber or other family member.	
	(name)		Beneficiary coverage char
			, ,
	ATTACH A COPY OF THE APPROPRIATE	DOCUMENTATION TO THIS FORM.	
l	Submit this information to Medicaid Insur		
II .	Fax: or	Mail:	
	803-252-0870 Post Of	fice Box 101110 pia, SC 29211-9804	

Faster claims? Send us the new/modified information, so we change it in our system.

Research of Documentation

A Certificate of Credible Coverage or an Explanation of Benefits (EOB) can be used to support TPL information on the claim form.

Certificate of Credible Coverage

• Termination date added to the policy file

Explanation of Benefits

- Prompts online inquiry to DEERS or BCBS
- Telephone Follow-up: Patient, Date of Service, Procedure, Carrier and Policy Number

Required TPL Claim Information

For each insurer:

- The carrier code
- The insured's policy number
- The payment amount or "0.00"

For the whole claim:

- A denial indicator (when at least one payer has not made payment)
- A total of all payments by other insurers
- Patient's responsibility amount

Carrier Codes

Carrier codes are alpha-numeric code assigned to every third-party insurer.

Medical Providers

Providers Three-digit codes

- www.scdhhs.gov or provider manual (Appendix 2)
- Codes are created for new insurances when they are reported to Medicaid.

Pharmacy Providers

Providers Five-digit codes

- www.scdhhs.gov or provider manual (Appendix 2)
- http://southcarolina.fhsc.com

Policy Numbers

Two types of TPL policy numbers are individual and group.

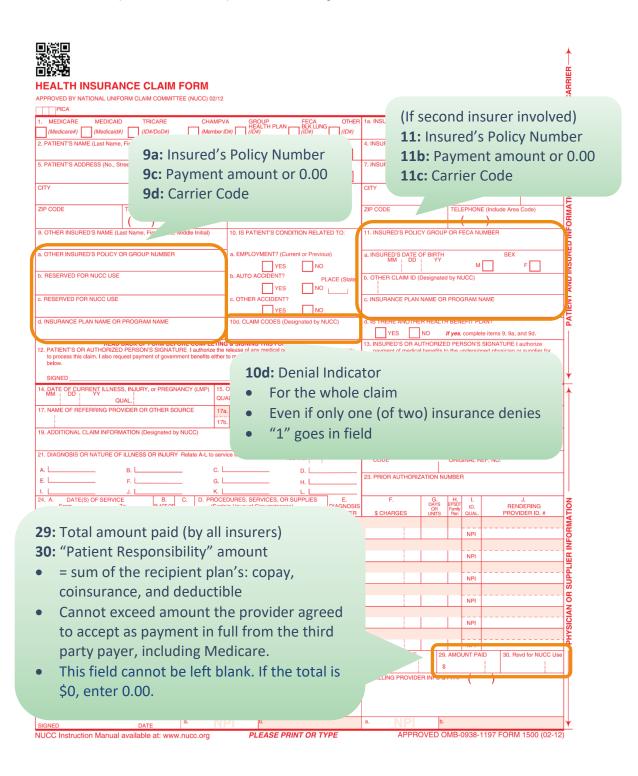
Individual

 Subscriber ID, Member number, Policy holder, Medicare number

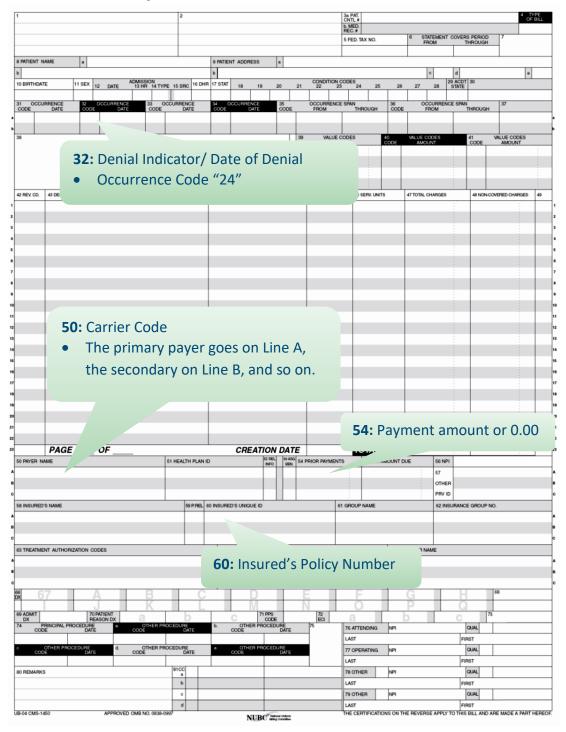
Group

Not required on the claim for billing TPL

CMS-1500 (version 02/12) TPL Claim Information



UB-04 TPL Claim Information

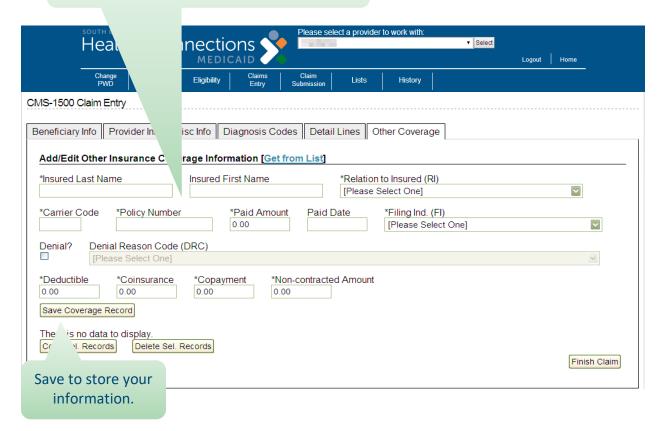


We add up the total payments by all insurers – there's no space for you to fill it in.

Reporting TPL on the Web Tool

You can input up to ten other insurance information lines if needed.

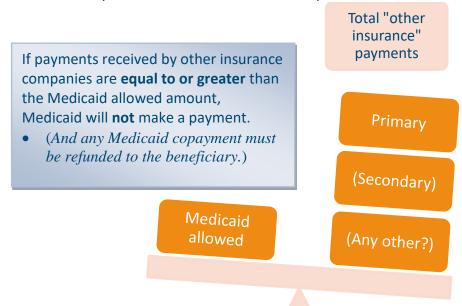
Last Name, First Name, and Policy Number: as it appears on the insurance card.



Enter other insurances in the Lists feature to auto-populate these fields.

How to Calculate TPL Payments

Medicaid computes an allowable amount for a procedure.



Note: Medicaid will **not** make a payment greater than the amount that the provider has agreed to accept as **payment in full** from the third party payer, including Medicare.

If other insurance payment is less than the Medicaid allowed, Medicaid will contribute the lesser of:

or the sum of the provider plan's:

Copay

Copay

"patient responsibility"

Deductible

Medicaid allowed

Professional Claim Example

An office charges:	BCBS allows:	Medicaid allows:	Results:
\$100	\$65	\$35	 BCBS' allowance is more than Medicaid's. Medicaid will not make a payment. Any copay collected must be refunded.
\$100	\$35	\$65	 If the provider has agreed to accept BCBS' payment in full, then Medicaid will not make a payment.

Note: Medicaid Advantage claims are treated the same as regular, fee-for-service claims.

CMS-1500 Calculation Examples

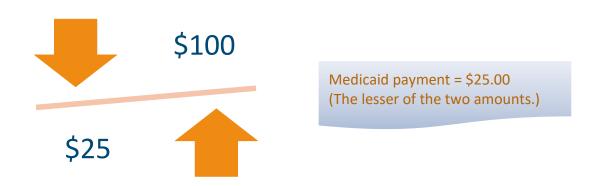
For procedure code 73510, there is a charge of \$55.

Medicaid Allowed Amount	\$ 17.99	Medicare Allowed Amount	\$11.23
Medicare Payment	- \$8.98	Medicare Payment	- \$8.98
Amount X	\$9.01	Patient Responsibility Amount Y	\$ 2.25



Medicaid payment = \$2.25 (The lesser of the two amounts.) For procedure code 99477, there is a charge of \$500.

Medicaid Allowed Amount	\$500.00	Allstate Allowed Amount	\$425.00
Allstate Payment	- \$400.00	Allstate Payment	- \$400.00
Amount X	\$100.00	Patient Responsibility Amount Y	\$25.00



For procedure code 96118, there is a charge of \$555; procedure code 96119, \$525.

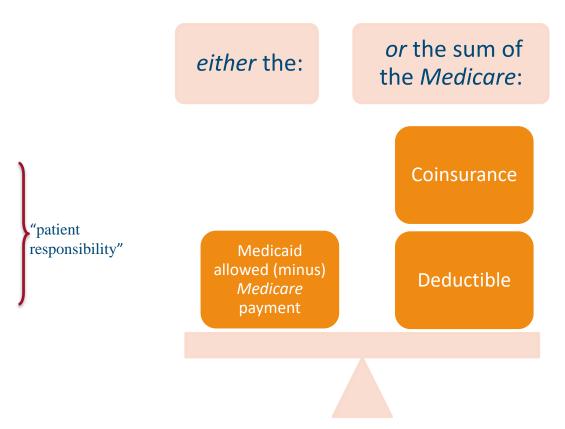
Medicaid Allowed Amount (\$82.09 + \$53.61)	\$135.70	Medicare Allowed Amount	\$346.50
Medicare Payment	- \$277.20	Medicare Payment	- \$277.20
Amount X	\$0.00	Patient Responsibility Amount Y	\$69.30



Medicaid payment = \$0.00 (If payments received by others are more than the Medicaid allowed amount, Medicaid will not pay.)

UB-04 Medicare Claims Calculation

With UB-04 *Medicare* primary claims, Medicaid determines payment amounts a little differently. Medicaid will pay the lesser of:

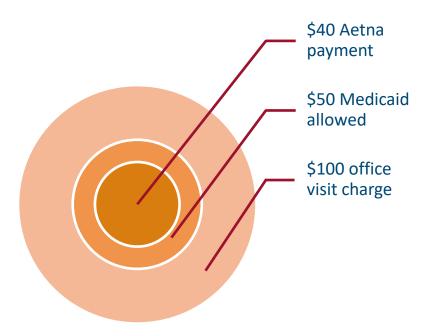


UB-04 Calculation Examples

Medicaid payment = \$0.00 (The Aetna payment is greater than the Medicaid allowed amount.)



Medicaid payment = \$8.00, plus \$2.00 copayment. (The Aetna payment is less than the Medicaid allowed amount.)



How Medicaid pays after Medicare (UB-04)

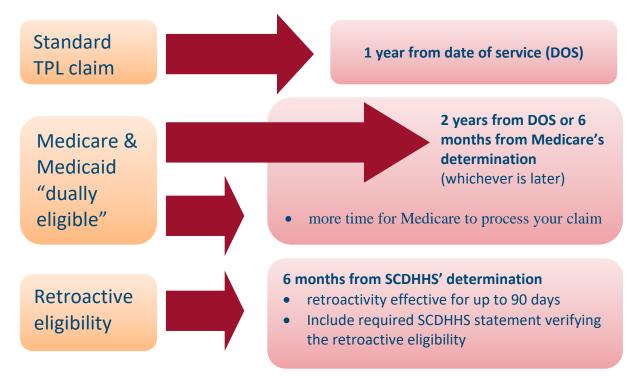
Amount X	\$40.00	Amount Y	\$30.00
Medicare Payment	- \$10.00	Medicare deductible	+ \$10.00
Medicaid Allowed Amount	\$50.00	Medicare co-insurance	\$20.00



Medicaid payment = \$30.00 (Medicaid pays the lesser of the two.)

Timely Filing

Send in the claim within timely filing limits. There are no extensions for TPL.



Claims must be "clean":

- Free of errors
- Can be processed without additional information from provider or other parties

TPL Edits

The TPL edits that consistently appear are mostly based on three fundamental problems. Failure to:

- File to all *other* insurers
- Correctly code TPL information on the claim
- Place correct information in the *right field* on the claim.

Common TPL Edit codes	Description
150	Primary insurer not indicated
151	Additional insurer(s) not indicated
165	Patient responsibility fields cannot be blank/nonnumeric
400	Carrier or policy number missing
401	No TPL carrier code
557	Carrier payments must equal other source payments (CMS-1500 Only)
555	Other sources amount greater than Medicaid allowed (UB-04 only)
636	Copayment amount exceeds allowed amount
690	Other sources amount greater than Medicaid allowed (CMS-1500 and dental)
732	Invalid payer/carrier code
733	Insurance payment or denial missing
0=04	5 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1

^{*953-} This means that the beneficiary has Medicare coverage and Medicare needs to be billed first.

Fix them? 1.) Understand what's wrong. 2.) Correct them. 3.) Resubmit the claim. *TPL and other edits can be found in Appendix 1.*

Resolving an Edit

Review the edits.

Locate the edit code description and resolution.

Resubmit the claim if needed.

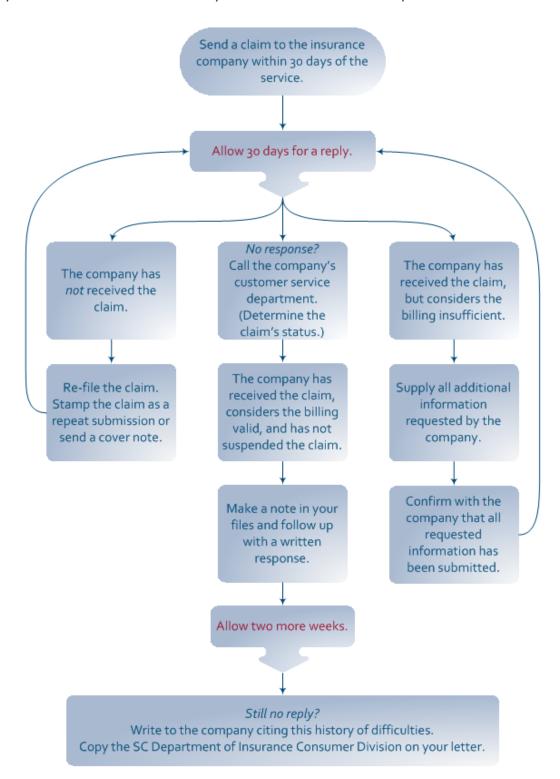
Edit Code Description and Resolution

Locate the current Edit Code Description and Resolution in Appendix 1 of the provider manual.

	Al	PPENDIX 1 EDIT	CODES, CA	RCS/RARC	CS, AND RESOLUTIONS
Edit Code	Description	CARC	RAR	c	Resolution
150	TPL COVER VERIFIED/FILING NOT IND ON CLM	22 – Payment adjusted because this care may be covered by another payer per coordination of benefits.	MA92 – Our record there is insurance ours; however, you complete or enter required information	primary to u did not accurately the	Please see INSURANCE POLICY INFORMATION on the ECF (to the right of the Medicaid Claims Receipt Address) for the three-digit carrier code that identifies the insurance company, as well as the policy number and the policyholder's name. Identify the insurance company by referencing the numeric carrier code list in this manual. File the claim(s) with the primary insurance before re-filing to Medicaid. If the insurance company that has been billed is the one that appears on the ECF, enter the carrier code in field 24 (must exactly match the carrier code(s) under INSURANCE POLICY INFORMATION). Enter the
	Edit Code	Appendix 1 es, CARCS/RARC Resolutions	CS, and		policy number in field 25 (must exactly match the policy number(s) under INSURANCE POLICY INFORMATION). If payment is made, enter the total amount(s) paid in fields 26 and 28. Adjust the balance due in field 29. If payment is denied (i.e., applied to the deductible, policy lapsed, etc.) by the other insurance company, put a "1" (denial indicator) in field 4. Enter the appropriate corrections to the ECF and resubmit. If the carrier that has been billed is not the insurance for which the claim received edit 150, the provider must file with the insurance carrier that is indicated in MMIS.
					UB CLAIM: Enter the carrier code in field 50. Enter the policy number in field 60. If payment is made, enter the amount paid in field 54. If payment is denied, enter 0.00 in field 54 and also enter code 24 and the date of denial in the Occurrence Code fields 31-34 A and B.

Reasonable Effort

When filing claims, some of you may encounter insurers who may be difficult to reach or slow to pay. Follow this method to ensure your Medicaid claim will still process.



Reasonable Effort Documentation Form

As a last resort, submit a Reasonable Effort Documentation form.

PROVIDER Dr. B	etty Smith		DOS03/05/12
NPI or MEDICAID PE	OVIDER ID_	1231231230	
MEDICAID BENEFIC	IARY NAME	John Jones	
MEDICAID BENEFIC	IARY ID#	999999999	
INSURANCE COMPA	NY NAME	Global Health	
POLICYHOLDER	John Jones	S	
POLICY NUMBER	8888888	88	
ORIGINAL DATE FII	LED TO INSUR	RANCE COMPANY 03/07/12	
DATE OF FOLLOW U	P ACTIVITY	04/06/12	
RESULT:			
Called insurer Send follow-u	. They receive p letter reques	ed claim and have not suspended sting a response on 04/10/12.	it.
FURTHER ACTIO	ON TAKEN:		
04/06/12: No re find claims. Re		insurer. Called again; they could 04/29/12.	not
DATE OF SECOND F	OLLOW UP_	05/30/12	
05/31/12. Case Medicaid now,	e is still open; as a decision ALL OPTION	claim. Notified Dept. of Insurance Dept. of Ins. Advised that we file may take some time. INSURER.	
		Smith 06/03/12 ENATURE AND DATE)	
		HE APPROPRIATE CLAIM OR ECF DCESSING POST OFFICE BOX.	ANDFORWARD
Revised 05/2007			

Retroactive Recovery

Retroactive recovery describes Medicaid recouping Third-Party Liability funds *after* Medicaid paid the provider.

Retro Medicare Retro Health Medicare is liable Monthly invoices to providers: Medicaid payments are **Professional** Institutional recouped from providers. Automatic debit Monthly debit - providers **Dental and Pharmacy** approximately 3 months notified once Claims from original notification Two monthly notices will be sent prior to take back

Pay and Chase

Certain services do not cost avoid nor require filing with the primary payer first.

You bill Medicaid as "primary payer"

Medicaid pays the claims

Medicaid bills any primary payers

- Medicaid has opted to pursue third-party payment (vs. requiring the provider).
- Medicaid temporarily behaves as the primary payer.
- *Note*: You are still encouraged (but not required) to file TPL yourself in these cases.

Do you provide any of these?

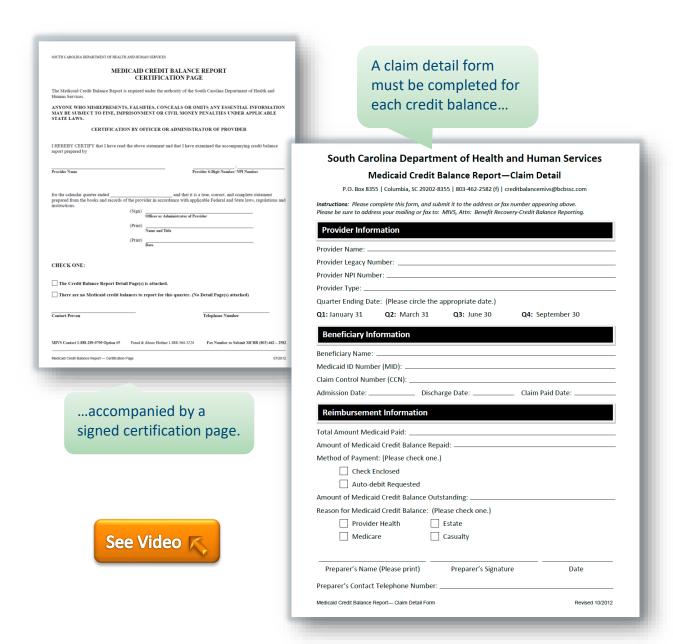
"Pay and chase" services

- Preventive pediatric services
- Maternal health services
- Title IV Child Support Enforcement insurance records
- Certain DHEC services under Title V

Credit Balance Reporting (CBR)

Institutional providers need to mail or fax the CBR within 30 days of the quarter's end.

A Credit Balance report is a method that allows Medicaid to recover payments for services which Medicaid paid, but are the responsibility of a third party payer.



Voluntary Refunds

Providers may voluntarily submit TPL refunds to SC Medicaid.

Reasons for Voluntary Provider Refunds

Provider learned about primary insurance after Medicaid payment.

Primary insurance adjusted or reconsidered the claim for payment.

Methods for Provider Refunds

Check

Replacement Claim

Refunding by Check

Send in the check with a completed Form 205, attached EOB copy, and the remittance advice.

	uth Carolina Depart Form f	ment of Healt or Medicaid R		rvices
Purpose: This form is to be used account for the refund. If the form	for all refund checks n	nade to Medicaid	. This form gives the	he information needed to properly ional information.
Items 1, 2 or 3, 4, 5, 6, & 7 must	be completed.	Attach app	ropriate documen	t(s) as listed in item 8.
1. Provider Name:				
2. Medicaid Legacy Provider # OR	(Six Characters)			
3. NPI#		& Taxono	ту 🗆 🗆 🗆	
4. Person to Contact:		5. Teleph	one Number:	
d Policyholder: e Group Name/Gr f Amount Insurar Medicare () Full payment m () Deductible not () Adjustment mac	due			
7. Patient/Service Identification	1:			
7. Patient/Service Identification Patient Name	Medicaid I.D.# (10 digits)	Date(s) of Service	Amount of Medicaid Paymer	Amount of nt Refund
	Medicaid I.D.#			
Patient Name Patient Name 8. Attachment(s): [Check appro Medicaid Remitta: Explanation of Be Explanation of Be Refund check Make all checks payable Mail to: SC Department Cash Receipts Post Office Box	Medicaid I.D.# (10 digits) priate box] nce Advice (required) nefits (EOMB) from In nefits (EOMB) from M to: South Carolina Deport Health and Human S	Service Surance Companiedicare (if applicatment of Healt	y (if applicable) table) th and Hum Cas	h Receipts
Patient Name Patient Name 8. Attachment(s): [Check appro Medicaid Remitta: Explanation of Be Explanation of Be Refund check Make all checks payable Mail to: SC Department Cash Receipts	Medicaid I.D.# (10 digits) priate box] nce Advice (required) nefits (EOMB) from In nefits (EOMB) from M to: South Carolina Deport Health and Human S	Service Surance Companiedicare (if applicatment of Healt	y (if applicable) cable) Cas	nt Refund

Do not complete a Form 130 for claims you are refunding by check.

Refund by Void/Replacement

Provider-initiated refunds can also be initiated on the Form 130 or electronically using the Web Tool or through a vendor or clearinghouse.

Provider Address 123 Main	Street	
Provider City, St Somewhe	ate, Zip: Total paid amount on the original claim: \$230	
Original CCN:	8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	
Provider ID:	9 8 7 6 5 4 3 2 1 0	
Recipient ID:	7 7 7 7 7 7 7 7 7 7 7	
Adjustment Type Void	●Void/Replace ○ DHHS ○ MCCS ● Provider ○ MIVS	
Insu○ Keyi○ Inco○ Volu	rance payment different than original claim ng errors Incorrect provider paid Incorrect dates of service paid Interpretation of the provider refund due to health insurance Interpretation of the provider filing error Interpretation of the provider refund due to casualty Medicare adjusted the claim	
Volu	ntary provider refund due to Medicare Other	TPL-related items Choose one.
O Inde	pital/Office Visit included in Surgical Package ependent lab should be paid for service istant surgeon paid as primary surgeon cliple surgery claims submitted for the same DOS IS claims processing error IS claims processing error IS change	
Comments: Primary	insurance payment received after Medicaid payment.	
Signature:	Mary Smith Date: 04/01/10	
	(803) 555-5555	

UB04 claim billers are not able to use this form. (Must use same medium as original submission, whether UB04 hardcopy or Web Tool.)

Solicited Refunds

SC Medicaid may also solicit refunds from providers.

Retro Health Retro Medicare Check or manual providers Check or Manual debit All providers Auto debit

For retro health for professional - Medicaid solicits refunds from private insurances.

Retroactive Recovery Letters

Retro Health letters alert providers to bill all other primary resources.

Debit letter indicates adjustment type

Claim level: if the entire payment is recouped

Gross level: if a partial payment is recouped

Retro Medicare Provider Letter

PROUTER 15T LATTER

State of South Carolina
DEPARTMENT OF HEALTH AND HUMAN SERVICES
MEDICAID INSURANCE VERIFICATION SERVICES
Post Office Box 101110
Columbia, South Carolina 29211

July 2, 2018

MEDUCARE EMERGENCY TRANS

NPI: 1003970898 MEDICAID ID: AB0009

295 CALHOUN STREET CHARLESTON SC 29425-0001

in order to comply with federal regulations, the Department of Health and Human Services must ensure that Medicaid is the payer of last resort. As a Medicaid provider, you are required to make a reasonable effort to collect from other insurance companies when a Medicaid beneficiary also has private or group insurance coverage. By doing so, state and federal fix dollars are saved and more funds are available to pay for Medicaid services.

Our research indicates that the uttached lists of claims are for beneficiaries who had other insurance available on the date you rendered services. Please file these claims with the insurance companies indicated on each sheet.

Once you receive a check from the insurance company, please complete the "Your Refund" column on each claims list

- . If the insurance company pays more than Medicaid paid you, refund the entire Medicaid payment.
- If the insurance company pays less than Medicaid paid you, only refund the amount the insurance company paid.
- Attach the <u>Explanation of Benefits (EOB)</u> from the insurance company which explains the payment, and mail your refund check along with the completed claims list to the following address:

SC Department of Health and Human Services Division of Reporting and Receivables Post Office Box 8355 Columbia, South Carolina 29202-8355

Returning the claims list and the insurer's EOB will ensure that your account is properly credited and eliminate the need for you to complete a Medicaid Refund Check Form (DHHS Form 205).

If the insurance company denies payment on all claims, note "DENIED" on the claims list and send the list and the EOB which gives the reuson(s) for denial to Medicald Insurance Verification Services.

Unless we receive a response from you before September 14, 2018 a negative adjustment may be made to your account. If you have any questions about the request, you may contact us at 1-888-289-0709 option 5 then option 1.

Your willingness to provide these services to our clients and your cooperation in saving taxpayer dollars are greatly appreciated.

BENEFIT RECOVERY UNIT

Letter provides...

amount being recouped.

when the account will be debited on your remittance advice.

instructions not to send in a refund check.

Also, when this letter is received, it is too late to stop the refund.

The debits will be completed on a monthly basis.

The letters go to the payment address in the MMIS.

Retro Medicare letters are issued only once prior to the debit.

Retro Health Initial Letter Institutional Providers ONLY

PROVIPER 2 40 word

State of South Carolina
DEPARTMENT OF HEALTH AND HUMAN SERVICES
MEDICAID INSURANCE VERIFICATION SERVICES
Post Office Box 101110
Columbia, South Carolina 29211

July 15, 2018

COUNTY COUNCIL FOR RICHLAN RICHLAND COUNTY EMS 1410 LAUREN STREET COLUMBIA SC 28201-1880 NPI: 1437142742 MEDICAID ID: AB0023

Dear Medicaid Provider:

In order to comply with Federal regulations, the South Carolina Department of Health and Human Services must ensure that Medicinal is the payer of last resort. As part of the process of identifying other payers, we have determined that the attached lists of claims are for beneficiaries who had other insurance available on the date you rendered service.

These lists were originally sent to you one month ago. To date, we have not received a response from you indicating that you have filled the claims appropriately.

If you have not yet filed these claims with the indicated insurers, you must do so immediately, if you have received payment from the insurers, please refund Medicaid either the amount you received per claim, or the Medicaid reimbursed amount per claim, whichever is less. If the insurers have denied payment, please send us a copy of their explanation of benefits showing the reason for denial.

If you have already made a refund or sent information regarding insurance denials and you feel this second notice has been sent in error, please mail supporting documentation to Medicaid insurance Verification Services.

Medicaid Insurance Verification Services.

Unless we receive a response from you before アムト いのとにいる TO Fix state August 17, 2018 a negative adjustment may be made to your account. If you have any questions about the request, you may contact us at 1-888-289-0709 option 5 then option 1.

We appreciate your cooperation with our efforts to save South Carolina tax dollars.

Sincerely,

BENEFIT RECOVERY UNIT

Letter provides...

a list of beneficiaries involved.

the date of service.

the insurance companies that need to be filed as the primary payers.

Also, a total of 3 letters will be generated under Retro Health.

Retro Health Final Letter Institutional Providers ONLY

State of South Carolina
Department of Health and Human Services
Medicaid Insurance Verification Services
Post Office Box 101110
Columbia, South Carolina 29211

September 17, 2004

Any Town Hospital System AO0001

PO Box 0001 Sun City, SC 29503-1201

Dear Medicaid Provider:

We recently sent you a letter and corresponding claims listing concerning an adjustment to your account to reimburse Medicaid for paid claims in which private insurance should have been primary to Medicaid- Most, if

We recently sent you a letter and corresponding claims listing concerning an adjustment to your account to reimburse Medicaid for paid claims in which private insurance should have been primary to Medicaid- Most, if not all, of the claims have been taken back in full; however where we have an indication that a full recovery is in excess of the policy maximum reimbursement, we have taken back only a portion of the original Medicaid payment.

To request an informal reconsideration of any claim(s) on the adjustment report, send a written request to Medicaid Insurance Verification Services. If the decision of the informal reconsideration sustains the adjustment, you have the right to file a formal appeal. A request for formal appeal must be made within thirty (30) days of your receipt of the informal reconsideration decision. Written requests for a formal appeal should be directed to the South Carolina Department of Health and Human Services, Division of Appeals and Hearings, Post Office Box 8206, Columbia, SC 292002-8206.

We appreciate your continuing cooperation with the requirements of the Medicaid program and your assistance in saving taxpayer dollars.

Sincerely,

BENEFIT RECOVERY UNIT

Letter explains...

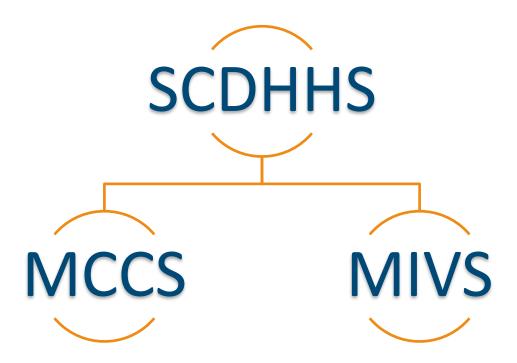
that letters have been sent with no response.

Also, this is the 3rd and final letter in the series of Retro Health Provider letters.

If you have not responded to the previous retro health letter within approximately 3 months, you will get the debit letter.

SCDHHS and TPL

SC Medicaid is administered by the South Carolina Department of Health and Human Services.



SCDHHS

- •South Carolina Department of Health and Human Services (Administration)
- Policy Program Areas, Program Integrity, Eligibility Processing, Third-Party Liability

MCCS

- Medicaid Claims Control System (Claims Processing Contractor)
- •Claims Entry, Adjustments, Provider Enrollment & Education, Provider Service Center, EDI Support

MIVS

- Medicaid Insurance Verification Services (Third-Party Liability Contractor)
- Other Health Insurance (OHI), HIPP (Health Insurance Premium Payment)Program, Fund Recovery, Credit Balance, Estate Recovery, Casualty, Special Needs Trust and Support Services for Retro Medicare, Retro Health and Pay and Chase recovery invoices.

There are 3 key departments within the TPL Division.

Referral	Qualify	Benefit
Agencies Self or family Referral? Call: 1-888-289- 0709 option 5, option 4. The HIPP Fax is 803-462-2580	Applicants must be receiving SC Medicaid benefits and have a private insurance and premiums must be cost- effective.	SC Medicaid pays private health insurance premiums, if cost effective.