



Krasa Consultants

February/March Newsletter

Hey everyone, somehow February is over and I'm just getting a newsletter out! The month just flew by. Now we're supposed to be entering spring and I think we might see more snow than we've seen all winter!

*****Some new changes in the workers' compensation scene. The Medicare Set Aside Program. The Medicare Set Aside Program is federal legislation designed to prevent the shifting of responsibility for medical treatment from a primary payer or insurance carrier to Medicare*****

Although this is the Medicare Set Aside Program in a Nutshell. This is something all of us have to keep in mind. I hope to have my certification in it this month

Basically, Medicare is no longer going to cover workers' compensation injuries on injured workers who are as follows:

1. Claimant has applied for Social Security Disability Benefits
2. Claimant has been denied Social Security Disability but anticipates an appeal
3. Claimant is in the process of appealing and or refiling for Social Security Disability
4. Claimant will be at least 62 years and 6 months old 120 days from today
5. Claimant has End Stage Renal Disease (ESRD) but does not yet qualify for Medicare based on ESRD
6. Catastrophic injury
7. Settlement value over \$250, 000
8. Age 65 or older
9. Off work for 6 months or longer (SSD)

Definition of the injured worker:

1. Initial injury during the course and scope of performing his/her job duties
2. Common injuries include low back, chronic pain and other orthopedic injuries

The Medicare Set Aside Account will be an amount of money set aside in an account to cover the expenses of an injured worker. This amount is based on the following and is reviewed by the Center for Medicare and Medicaid Services for approval

1. Comprehensive review of medical records
2. Review of medical claim history
3. Physician recommendations
4. Standards of Care

This money is in an individual account and can only be used for the medical expenses that Medicare would usually cover had it not been a work injury

If there should have been a Medicare Set Aside Account but wasn't the Penalties of Non-Compliance is:

1. Loss of Medicare benefits
2. Social Security offset
3. Demand for reimbursement
4. ****Double Damages****The Center for Medicare and Medicaid may pursue a private cause of action, double amount of medicals against the carrier
5. Malpractice claim

The Medicare Set Aside Allocator is a professional involved in this area of practice

1. Certified Registered Nurses
2. Certified Life Care Planners
3. Certified Rehabilitation Registered Nurses
4. Certified Case Managers
5. Certified Disability Management Specialists

As with everything else it will take time for everyone to learn all the requirements for approval for the Medicare Set Aside Program. It is my understanding Medicaid will soon be doing this also. Please feel free to contact me with any questions.

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As always thank you for your time and thanks for your continued support. God bless each of you and your families! Until next month

Respectfully Submitted

Barb