



## Medicare Set Aside Allocations

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The legal team at Conroy Simberg counsels and assists insurance companies, employers and self-insureds with complex Medicare Secondary Act (MSP) compliance issues.

Compliance with the MSP Act is an area of increasingly significant concern to insurers. While confusion abounds in the area of what insurers are required to do when it comes to dealing with persons who are or will likely become Medicare beneficiaries, one point is very clear: Under the MSP Act insurers must always “protect Medicare’s interest” as a secondary payer. If these interests are not adequately protected, then the insurer may be held liable for Medicare’s payments and it may be subject to penalties and interest.

### Compliance with the MSP Act

The attorneys in our firm work with clients to develop creative solutions to complex Medicare problems. When handling a liability or workers’ compensation claim, our legal team takes a proactive approach to avoid future Medicare issues. Lawyers working across our firm’s diverse practice departments carefully review and investigate cases to determine the extent to which any Medicare issues may be involved, focusing on three primary areas of concern:

1. Past payments by Medicare, which are termed “conditional payments.”
2. Potential future payments by Medicare, generally referred to as Medicare “set asides.”
3. Reporting requirements for RREs (Responsible Reporting Entities) under Section 111.

### Developing Sound Medicare Compliance Strategies

Our attorneys are committed to working with our clients to develop sound Medicare compliance strategies. When a set aside is necessary, we work with Medicare vendors to assist clients in determining the allocation amount necessary to adequately protect Medicare’s interests. Our attorneys have a keen understanding of Medicare’s complicated legal and regulatory requirements.

When a settlement, judgment, award or other payment takes place involving a liability claim, our legal team counsels clients on how to best meet Medicare’s extensive Section 111 reporting requirements.

### At The Forefront of Medicare Compliance Issues and Client Education

Conroy Simberg is proud of the reputation we have built for developing proactive and innovative legal solutions for our clients. The attorneys at our firm are committed to being at the forefront of Medicare compliance issues affecting insurance companies, employers and self-insured entities.

As a benefit, we offer educational seminars and programs in order to assist our clients in developing appropriate compliance policies and procedures. Our Attorneys also regularly monitor new and emerging laws, trends, and regulations to ensure that our clients are fully aware of all legal developments that may impact their operations.