

Program Memorandum Intermediaries/Carriers

Department of Health &
Human Services (DHHS)
Centers for Medicare &
Medicaid Services (CMS)

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Date: SEPTEMBER 18, 2002

CHANGE REQUEST 2304

SUBJECT: Establishing a Uniform Process for the Preparation and Mailing of Case Files From the Contractor to the Office of Hearings and Appeals (OHA) of the Social Security Administration (SSA)

This Program Memorandum (PM) instructs carriers and intermediaries to establish a uniform case tracking system for the preparation and mailing of case files from the contractor's Appeals Unit to the OHA. This system is modeled after a pilot tracking system that was developed and successfully implemented by a Medicare contractor in cooperation with the OHA in Falls Church, Virginia.

Package Preparation

After preparing case files for transmittal to OHA (which includes attaching Form 3509 on the front of all files), generate a spreadsheet (the Document Index) which identifies each file that will be included in the mailing (i.e., box or envelope) to OHA and the following details about each file:

- Beneficiary name;
- Beneficiary HICN;
- Provider name and number;
- Contractor's document control number (DCN);
- Dates of service;
- Reconsideration or fair hearing decision date;
- Date request for ALJ hearing was received;
- Claim count and an indicator if the service was Part A or Part B (i.e., 100-A);
- Amount in controversy;
- Docket number, where applicable (space is left blank for OHA to fill in); and
- Single-file case or multi-file case (include reference to single- or multi- and the number of files involved, i.e., - a multi-file case with 100 files would be denoted as Multi-100).

Please do not change the heading titles or order of the headings when developing your spreadsheets. In order to promote consistency in the documents that are sent to OHA, please place all headings in the order above, as listed above, horizontally across the top of the spreadsheet, with specific file information appearing below the columns. For example:

| Beneficiary Name | Beneficiary HICN | Provider Name and Number | Document Control Number | Date(s) Of Service | Recon/Fair Hearing Decision Date | Date Request for ALJ Hearing Received | Claim Count and A/B | Amount In Controversy | Docket Number (if applicable) | Single-file or Multi-file |
|------------------|------------------|--------------------------|-------------------------|--------------------|----------------------------------|---------------------------------------|---------------------|-----------------------|-------------------------------|---------------------------|
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This Document Index should be placed on top of all of the files in the mailing. When OHA receives the mailing, they should review the spreadsheet and the contents of the mailing to ensure that all of the files listed on the spreadsheet are present. The contractor should continue to provide their contractor name and number, a contact name, mailing address, and phone number on CMS Form 3509. The contractor's fax number should be added as a header or footer to the spreadsheet. Once OHA has checked the mailing for completeness and Docket Numbers (if applicable) have been assigned to the case files, OHA has agreed to fill in the docket numbers on the spreadsheet and mail and/or fax the completed spreadsheets back on a flow basis, with the average length of time

being monthly. If contractors do not receive the spreadsheet after 45 days have elapsed, they should contact the courier service to ensure that the package was delivered. If the package was delivered, than they should contact OHA and request a status. With the implementation of this process, both OHA and the contractor will have access to the case tracking numbers each uses at their respective organizations, so that if a file is missing, sufficient information is available to begin a search.

NOTE: If you are transmitting unrelated case files (i.e., some consisting of multi-file cases and some containing single-file cases) in the same mailing, make certain that cases with multiple files are physically separated from the other files. For example, if there are 100 file folders that make up 1 case, those file folders should be bound by a rubber band or a cord before being placed with the other files in the package.

Mailing

When mailing the package of files to OHA, contractors shall utilize a courier service that provides ground tracking of the packages they deliver. The courier service must be able to track every package and be able to provide the package's location upon request. Contractors should retain the tracking slip in the event the package becomes lost.

Change in Process for Fiscal Intermediaries (FIs)

Currently, when FIs receive a request for an ALJ hearing, they mail the associated case file(s) to a local hearing office. The appropriate hearing office is selected by using the beneficiary's zip code to determine the hearing office that is closest to the beneficiary. This process can become problematic when the claim being appealed is part of a larger overpayment case. An overpayment case may include multiple beneficiaries' claims and under the current process claim appeals associated with that overpayment may be routed to various hearing offices based on the individual beneficiary's zip codes. Therefore, different ALJs could hear appeals and potentially issue conflicting decisions on claims that are essentially part of one overpayment case.

This PM changes the FI's procedures for forwarding case files where the claims in question are part of a larger overpayment case. If an overpayment case involves multiple beneficiaries, then an FI should forward the case files to OHA in Falls Church, VA. This type of case may also be referred to as a "Big Box" case. OHA in Falls Church has agreed to ensure that all of the case files associated with an overpayment are assigned to one ALJ for review.

The *effective* date for this PM is October 1, 2002.

The *implementation* date for this PM is October 1, 2002.

These instructions should be implemented within your current operating budget.

This PM may be discarded October 1, 2003.

If you have any questions, contact Jen Collins at (410) 786-1404, e-mail-jcollins2@cms.hhs.gov.