

May 10, 2022



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XXX\*\*\*AUTO3-DIGIT 322 R:47 T:1 P:1 PC:26 F:2157802 XXX

MORGAN & MORGAN, P.A.

76 S LAURA ST STE 1100

JACKSONVILLE, FL 32202-5413

**\*COPY\***

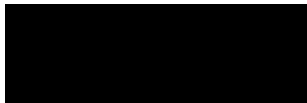
For Information Only

21 of 26 R:47

May 10, 2022

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XXX\*\*\*AUTO3-DIGIT 322 R:47 T:1 P:1 PC:26 F:2157802 XXX



RE: Beneficiary Name:  
Medicare ID:  
Case Identification Number:  
Date of Incident:  
Demand Amount:

July 29, 2021

\$782.91

Dear

*If we know you have a representative for this matter, we are sending him/her a copy of this letter. If you have any questions regarding this letter and are represented by an attorney or other individual in this matter, you may wish to talk to your representative before contacting us.*

We are writing to you because we learned you have received a settlement, judgment, award, or other payment related to your case for the Date of Incident (DOI) listed above. We have determined that you are required to repay the Medicare program \$782.91 for the cost of medical



care it paid relating to your case.

Please read this entire letter, as it contains important information, including:

- An explanation of why you need to repay Medicare and the way we determined the amount you are required to repay (Parts I and II);
- Instructions for repaying Medicare if you agree that there has been an overpayment and accept the amount we have determined you owe, (Part III);
- Instructions for requesting waiver of recovery (for the full or a part of the amount of this demand) or appeal (if you disagree that an overpayment exists or with the amount of the overpayment we have determined you owe), (Part IV). Please note that Medicare will not take any collection actions while your request for waiver of recovery or appeal is being processed at any level of review;
- Interest charges that apply if you do not repay Medicare within sixty (60) days from the date of this letter and certain actions Medicare may decide to take if you fail to repay the amount you owe, (Part V);
- Whom you should contact if you have questions about this letter, (Part VI).

## **I. Why am I required to repay Medicare?**

You are required to repay Medicare because Medicare paid for medical care you received related to the recovery of your case. The Medicare Secondary Payer (MSP) law allows Medicare to pay conditionally for medical care received by a Medicare beneficiary who has or may have a case. However, the law also requires Medicare to recover those payments if payment of a settlement, judgment, award, or other payment has been or could be made.

If you would like to read the MSP law, you can find it in Title 42 of the United States Code, Section 1395y(b)(2). You can also find the regulations that explain how the Medicare program recovers amounts it is owed under the MSP law in Title 42 of the Code of Federal Regulations, beginning at Section 411.20.

## **II. How did Medicare decide how much money I owe?**

The Medicare program paid \$782.91 for medical care related to the incident referenced above. The list of these Medicare Part A and Part B Fee-for-Service claims paid by Medicare is enclosed with this letter. The Medicare program generally reduces the amount a Medicare beneficiary is required to repay by taking into account the costs (such as attorney's fees) paid by the beneficiary to obtain his/her settlement, judgment, award, or other payment. You can find the formula we use to decide how much the amount of this reduction should be at 42 C.F.R., sub-section 411.37. We have applied the formula and determined that the amount you owe Medicare is \$782.91.



This letter relates only to money paid from your current settlement, judgment, award or other payment. If, in the future, you receive additional consideration or compensation from any source related to this injury, incident, or illness, you must let us know.

### **III. If I accept this determination, how do I repay Medicare what I owe?**

As stated, Medicare has calculated an overpayment of \$782.91, with repayment requested within sixty (60) days of the date of this letter, May 10, 2022. Please send a check or money order for \$782.91, made payable to Medicare, to us at the address listed at the end of this letter or submit your payment through the Medicare Secondary Payer Recovery Portal (MSRP) at <https://www.cob.cms.hhs.gov/MSRP>. Medicare beneficiaries may access MSRP through the Medicare.gov website at <https://medicare.gov/> using their established User Name and password for that site. Once logged into Medicare.gov, they can access the MSRP from the 'MSP' section of Medicare.gov.

If sending payment by mail, please make sure to include your name and Medicare ID on the check or money order and include a copy of this letter with your payment. If you are unable to include a copy of this letter with your payment, please include your name and Medicare ID as well as your Case Identification Number (from the beginning of this letter) on your check.

The amount requested in this letter may not reflect payments you have already made prior to the issuance of this demand letter dated May 10, 2022. Upon issuing a payment, please deduct any previous payments made to Medicare for the above referenced debt. Any payment submitted prior to the issuance of this demand will be applied to the overpayment and a letter will be issued to you explaining any remaining amount due. If you do not receive a letter within 30 days of this demand letter, please contact the Benefits Coordination & Recovery Center (BCRC) at the address below.

### **IV. What rights do I have if I disagree with the amount this letter says I owe or think that I should not have to repay Medicare for some other reason?**

**Right to Request a Waiver**- You have the right to request that the Medicare program waive recovery of the amount you owe in full or in part. Your right to request a waiver is separate from your right to appeal our determination, and you may request both a waiver and an appeal at the same time. The Medicare program may waive recovery of the amount you owe if you can show that you meet both of the following conditions:

1. This overpayment (for purposes of requesting waiver of recovery, the amount you owe is considered an overpayment) was not your fault, because the information you gave us with your claims for Medicare benefits was correct and complete as far as you knew; and when the Medicare payment was made, you thought that it was the right



payment;

AND

2. Paying back this money would cause financial hardship or would be unfair for some other reason.

If you believe that both of these conditions apply to you, you should send us a letter that explains why you think you should receive a waiver of recovery of the amount you owe. If you request a waiver, we will send you a form asking for more specific information about your income, assets, expenses, and the reasons why you believe you should receive a waiver. Medicare will not take any collection action while your request for waiver is being processed at any level of review. If we are unable to grant your request for a waiver, we will send you a letter that explains the reason(s) for our decision and the steps you will need to follow to appeal that decision if it is less than fully favorable to you.

**Right to Appeal-** You also have the right to appeal our determination if you disagree that you owe Medicare as explained in Part I of this letter, or if you disagree with the amount that you owe Medicare (\$782.91) as explained in Part II of this letter. To file an appeal, you should send us a letter explaining why you disagree with our determination that you owe money to Medicare and/or why you believe our calculation of the amount you owe is incorrect. Medicare will not take any collection action while your appeal request is being processed at any level of review. Once we receive your request, we will decide whether our determination that you must repay Medicare \$782.91 is correct and send you a letter that explains the reason(s) for our decision. Our letter will also explain the steps you will need to follow to appeal that decision if it is less than fully favorable to you.

You have 120 days from receipt of this letter May 10, 2022 to file an appeal. We must assume that you received this letter within five (5) days of the date of the letter May 10, 2022 unless you furnish us with proof of the contrary.

If you have not already made full payment or otherwise resolved Medicare's recovery claim by the date stated in Section V below, you may receive a letter stating that Medicare intends to refer the debt to the Department of the Treasury for collection. Such a letter does not change the appeal rights stated above. However, please note that unless or until you request an appeal, Medicare will not suspend collection efforts. Regardless of whether you appeal, interest will continue to accrue on any outstanding balance from the date of this letter.

If you do not already have an attorney or other representative and you want help with your request for waiver or appeal, you can have a friend, lawyer, or someone else help you. Some lawyers do not charge unless you win your case. There are groups, such as lawyer referral service



that can help you find a lawyer. There are also groups, such as legal aid services, that will provide free legal services if you qualify.

#### **V. What happens if I do not repay Medicare the amount I owe?**

If you do not repay Medicare in full by July 08, 2022, you will be required to pay interest on any remaining balance, from the date of this letter, at a rate of 9.375% per year as determined by federal regulation. If the debt is not fully resolved within 60 days of the date of this letter, interest is due and payable for each full 30 day period the debt remains unresolved. By law, all payments are applied to interest first, principal second. You can find the regulation that explains interest charges at 42 C.F.R., sub-section 411.24(m).

If you choose to appeal this determination or request a full or partial waiver of recovery, you may wish to repay Medicare the full amount or the amount you believe you owe within sixty (60) days of the date of this letter to avoid the assessment of interest. Interest accrues on any unpaid balance, which may include any amount you are determined to owe once a decision is reached on your request for waiver of recovery or appeal. If you receive a waiver of recovery or if you are successful in appealing our decision, Medicare will refund any excess amounts you have paid. Medicare will not take any collection action while it is processing your request for waiver or appeal at any level of review.

If you cannot repay Medicare in one payment, you may ask us to consider whether to allow you to pay in regular installments. If you make installment payments, you should be aware that your payments will be applied to any interest due first and then to the outstanding principal amount.

The provisions of the Debt Collection Improvement Act of 1996 apply to Medicare debt. Recovery actions may include collection by Treasury offset against any monies otherwise payable to the debtor by any agency of the United States (for example, tax refunds or federal benefits), among other collection methods. If Medicare intends to take collection action (including referral to Treasury), you will be provided with appropriate notice. This notice will include information concerning appropriate steps to avoid such actions.

#### **VI. Who should I contact if I have questions about this letter?**

If you have any questions concerning this matter, please contact the BCRC by phone at 1-855-798-2627 (TTY/TDD: 1-855-797-2627 for hearing/speech impaired), in writing at the address below, or by fax to 405-869-3309. When sending correspondence, please include the Beneficiary Name, Medicare ID, Case Identification Number (shown above), and a page of this letter.



Sincerely,

BCRC

CC: MORGAN & MORGAN, P.A.

Enclosure: Payment Summary Form

23 of 26 R:47





## Payment Summary Form



Report Number: RMCAN - 5-5

Contractor: NGHP

Date:: 05/10/2022

Time: 06:15:18

Page 7 of 8

Beneficiary Name: DENTON, PEGGY M

Case ID: 20212 23090 00633

Beneficiary Medicare ID: A\*\*\*\*\*1172

Case Type: L – Liability

Date of Incident: 07/29/2021

Reported Diagnosis Codes: M25559, M542, M545

TOS	ICN	Line #	Processing Contractor	Provider Name/NPI#	ICD Ind	***DX Codes	**HCPCS / CPT/DRG	From Date	To Date	Total Charges	Reimbursed Amount	Conditional Payment
71	822221271100640	001	00882	HARTSFIELD, PAUL F / 1912109166	ICD-10	H5710, K8689, M542, V892XXA	H: 99214	08/09/2021	08/09/2021	\$172.00	\$104.01	\$104.01
71	822221326387440	001	00882	HARTSFIELD, PAUL F / 1912109166	ICD-10	M2550, M549	H: 99214	09/16/2021	09/16/2021	\$172.00	\$104.01	\$104.01
71	822222070241230	001	00882	CROOMS, CHRISTINE / 1437617024	ICD-10	M25559	H: 99214	10/19/2021	10/19/2021	\$172.00	\$88.20	\$88.20
71	822221328235740	001	00882	WILLIAMS, GREGORY A / 1780692012	ICD-10	M25552, V892XXA	H: 73502	10/27/2021	10/27/2021	\$81.00	\$36.39	\$36.39



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TOS	ICN	Line #	Processing Contractor	Provider Name/NPI#	ICD Ind	***DX Codes	**HCPCS / CPT/DRG	From Date	To Date	Total Charges	Reimbursed Amount	Conditional Payment
71	822221329049010	001	00882	MACDONALD, IAN D / 1780063982	ICD-10	<b>M50023</b> , M4316, M4722, M4802, M48061, M533, M5450	H: 99205	11/08/2021	11/08/2021	\$627.00	\$151.98	\$151.98
71	822221329049010	002	00882	MACDONALD, IAN D / 1780063982	ICD-10	<b>M50023</b> , M4316, M4722, M4802, M48061, M533, M5450	H: 72110	11/08/2021	11/08/2021	\$145.00	\$33.58	\$33.58
71	822221337129410	001	00882	CHANDLER III, GILBERT S / 1003807272	ICD-10	<b>M461</b>	H: 27096	11/12/2021	11/12/2021	\$790.00	\$132.37	\$132.37
71	822221337129410	003	00882	CHANDLER III, GILBERT S / 1003807272	ICD-10	<b>M461</b>	H: Q9967	11/12/2021	11/12/2021	\$2.00	\$0.00	\$0.00
71	822221355054530	001	00882	CHANDLER III, GILBERT S / 1003807272	ICD-10	<b>M461</b>	H: 27096	11/29/2021	11/29/2021	\$790.00	\$132.37	\$132.37
71	822221355054530	003	00882	CHANDLER III, GILBERT S / 1003807272	ICD-10	<b>M461</b>	H: Q9967	11/29/2021	11/29/2021	\$4.00	\$0.00	\$0.00



\*\*H - HCPCS Code, D - DRG Code

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\*\*\*Part-A Claim Primary Diagnosis Code is denoted in bold font

Sum of Total Charges	\$2,955.00
Total Reimbursed Amount	\$782.91
Total Conditional Payments	\$782.91



**This document was split from  
an envelope that contained  
mail for multiple clients**



