



HARRANG LONG
GARY RUDNICK P.C.
ATTORNEYS AT LAW



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HEALTH CARE LAW ALERT

CMS Issues Proposed Rule to Implement 60-Day Return of Identified Overpayments

The Centers for Medicare & Medicaid Services (CMS) published a proposed rule regarding Medicare providers' and suppliers' obligation to timely report and return overpayments. The Patient Protection and Affordable Care Act (PPACA) contains several provisions intended to combat fraud, waste, and abuse in the healthcare industry, particularly with respect to government programs. One such provision requires a person who has received an overpayment to report and return the overpayment and to provide written notice to the entity to which the overpayment was returned of the reason for the overpayment. PPACA states that the overpayment must be reported and returned by the later of 60 days after the date on which the overpayment was identified or the date any corresponding cost report is due.

The Proposed Rule will apply only to Medicare Part A and Part B providers and suppliers. However, Medicaid MCOs, MAOs, and PDPs are still subject to the requirement to timely report and return overpayments, even if CMS has not yet promulgated regulations.

The attorneys at Harrang Long Gary Rudnick are committed to serving the needs of clients in a responsive and proactive manner. They understand the challenges and the opportunities provided by health care law, and are focused on the advancement of each client's success.

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