

MEDICARE COMPLIANCE

Summary of Medicare changes

December 2022

Centers for Medicare and Medicaid Services (CMS) update

RFP issued to replace current Workers' Compensation Medicare Set Aside (WCMSA) review contractor

On Jan. 3, 2023, The Centers for Medicare and Medicaid Services (CMS), the entity that oversees the Workers' Compensation Medicare Set Aside process (WCMSA), [issued an RFP](#) to replace the current WCMSA review contractor. The review contractor is the entity that reviews and approves MSAs on behalf of CMS. According to the posting by CMS, the RFP is due Feb. 6, 2023; per the RFP's supporting documentation, CMS anticipates selecting a new review contractor before the end of March, who will then takeover in April.

How does this impact the WCMSA approval process?

The prior two times that CMS issued an RFP for this contract, they replaced the current review contract with a new entity. The new entity usually has limited to no experience with WCMSAs, resulting in inconsistent WCMSA approval results for the first six to 12 months. The new review contractor usually struggles with consistency in reviewing WCMSAs, quality control, understating the nuances of the [WCMSA Reference Guide](#), and understanding what items are covered by Medicare.

Sedgwick will provide further updates when the new contractor takes over and advise if there are any drastic changes in how the new review contractor is evaluating WCMSAs.

The information contained within this document is intended to provide summary level information on proposed or enacted laws related to family and medical leave. It is not intended to provide guidance on the application of these legal requirements or as an update to your company's attendance and/or leave policies. We recommend you consult with Legal Counsel to determine what changes, if any, should be applied to company policy.

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