

05/27/2011

National Government Services, Inc.
PO Box 7111
Indianapolis, IN 46207-7111

**RE: CMS Recovery Letter #xxxxxx
Patient HICN xxxxxxxxxxxx
DOS 02/11/2010**

I am writing to request a redetermination of the re-processed claim referenced above.

This claim was reprocessed as part of CMS's retro-active 2010 fee schedule adjustments. I believe the claim was reprocessed incorrectly:

- The claim was first settled in remittance advice #xxxxxxxxxx, dated 03/04/2010 (ICN #xxxxxxxxxxxxxx). The patient was not assigned a deductible liability as part of this claim settlement.
- The claim was reprocessed in remittance advice #xxxxxxxxxx, dated 03/23/2011 (ICN #xxxxxxxxxxxxxx and ICN #yyyyyyyyyyyyyy). The initial settlement was retracted, and the new settlement, based on the retro-active fee schedule change, resulted in a net difference of \$0.02 in the amount allowed for the procedure.
- The 2010 settlement resulted in a payment to the provider with no deductible assigned to the patient. The 2011 settlement resulted in no payment to the provider and a deductible liability of \$113.00 assigned to the patient.
- The change in liability to the patient for a deductible on this claim can only be the result of a processing error on the part of CMS and/or NGS. I assume the error arose because all Medicare claims re-processed in 2011 for this patient were not done in the same order as the original settlement sequence for this patient's Medicare claims in 2010

Redetermination Request
CMS Recovery Letter #xxxxxxx
Overpayment Amount: \$90.42
Outstanding Balance: \$90.42
Provider #1558369215

- Changing the assignment of the patient's Medicare deductible liability retroactively is unfair to both the beneficiary and to the provider of service. It places an undue hardship on the provider to collect the re-assigned deductible balance from the patient. It places an undue hardship on the patient to recover money paid to the other provider originally assigned the patient's deductible liability in 2010.

I am reimbursing Medicare for the balance due as demanded in CMS Recovery Letter #xxxxxxx, dated 03/24/2011. **I do so under protest and request a redetermination.** Please consider this letter and the attached documentation as part of this redetermination.

Yours truly,

Keith Kriet
Office Manager