

# Certified Medicare Secondary Payer Professional CMSP Program

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CMSP

The Certified Medicare Secondary Payer Professional Program is a 36 hour program designed to give advanced knowledge and practical skills required to acquire certification in Medicare Secondary Payer Compliance.

## Certified Medicare Secondary Payer Professional Program

### Who Should Attend?

The Certified Medicare Secondary Payer Professional (CMSP) credential is designed to identify those professionals who work within the workers' compensation and liability insurance industry such as insurance claims adjusters, attorneys, personal injury and special needs attorneys, life care planners, disability and rehabilitation management specialists, structured settlement professionals, and case managers who have demonstrated extensive knowledge regarding the development and application of the Medicare Set-Aside Allocation (MSA) process.

### Designation

The Certified Medicare Secondary Payer Professional Program is a three-part designation - workshop, exam and practicum. The program is offered in a three-day, 20-hour workshop taught by experts in the field of Medicare Set-Aside Allocation. The exam on materials taught in the workshop will be administered on the third day. To earn the Certified Medicare Secondary Payer Professional designation, a passing exam score and a take-home case study will need to be successfully completed.

### Additional Seminar Benefits

- Designed to allow participants to select and receive comprehensive training in Medicare Secondary Payer areas of interest. Upon completion of the workshop, participants will receive a Certificate of Completion. Upon successful completion of entire course, participants will receive the CMSP Designation and Certificate.
- Complete the entire 36-hour course or just take the 20-hour workshop for enhanced knowledge of Medicare Secondary Payer issues.

## Seminar Information

Attendees must remain in class for the duration of instruction each day to receive credit. Coffee, soft drinks and snacks will be provided throughout the day.

**Fees** Complete Certification: \$1,000  
\* Workshop Only: \$ 700

\* The workshop only fee does not include the test and practicum.

Overnight accommodations are not included in the seminar fee. Fees are due two weeks prior to seminar attendance.

### Evaluation (Exams)

To evaluate their knowledge and proficiency, potential designee candidates are required to complete an exam, which will be administered after completion of the 20 hour course.

A 16-hour home study practicum will be given to each designee candidate. The practicum is to be completed in 30 days.

### Seminar Setting

Class attendance is limited to allow participants an opportunity to exchange information with other participants as well as with instructors. Courses are designed to allow time for individuals to ask questions and receive answers.

### Re-certification

Initial certification is for a two-year period. 24 Hours of continuing education is required every two years in a Medicare Secondary Payer related field.

### Please Note

Dress is business casual.  
No video or audio recordings will be allowed.  
Overnight accommodations are not included in the seminar fee. Seminar fees are due prior to attendance.  
You must remain in class for the duration of instruction to receive credit.

## The Program - Day One

### History of Medicare Secondary Payer Evolution

The first section of the program briefly reviews the history and overview of Medicare Secondary Payer evolution from 1965 to today. It also includes an overview of workers' compensation.

- ◆ What is Workers' Compensation
- ◆ The Benefits in Workers' Compensation
- ◆ How Medicare is Impacted
- ◆ PPD, TTD, Defenses
- ◆ Differences in State Systems

### Medicare Secondary Payer Act

This section will discuss the framework for the Medicare Secondary Payer Act. There will be a review of regulations and amendments.

- ◆ MSP Regulations and Amendments
- ◆ Future Medicare Payments vs. Past (Conditional Payments)
- ◆ Potential Consequences of non compliance - Future vs. Past
- ◆ Legal Update

### Specialty Claims

This section will discuss the intricacies of specialty claims and the MSP Act.

- ◆ Longshore and Harbor Workers' Compensation Act
- ◆ FELA Claims
- ◆ Railroad Claims

### Discussion of CMS Memos

There will be a review of all memos and details regarding CMS written policy and procedures.

### CMS Structure

An overview of who the entities/players (acronyms) are and how they function.

- ◆ Role of Attorney
- ◆ Role of the Allocator
- ◆ Role of the Carrier
- ◆ Structured Settlement Broker
- ◆ Medicare and Social Security Administration
- ◆ CMS
- ◆ CMS RO
- ◆ CMS Central Office
- ◆ MSP Central Office
- ◆ WCRC - JV
- ◆ MSPRC
- ◆ COBC

## Structured Settlements and Case Resolution—MSAs, SNTs, QSF

This area of discussion includes case settlements and case resolution's impact on the Medicare Secondary Payer.

- ◆ Annuities and Structures
- ◆ Special Needs Trust
- ◆ MSA Funding
  - ✦ Lump Sum vs. Structure
- ◆ Role of Structure Settlement Consultant
- ◆ Various Structure Vehicles
- ◆ Calculation of the Initial and Annual
- ◆ Payment for a Structured MSA Arrangement
- ◆ Rated Age
- ◆ Life expectancy

## Liability Claims—How are They Different from WC?

Panel Discussion

## The Program - Day Two

### Development of the Medicare Set Aside Cost Projection

This section is designed to teach the development of the MSA Cost Projection and guidelines on when a MSA is appropriate. It will discuss Medicare eligibility and coverage. It will cover not only Medicare parts A, B, C, & D, but also how to determine Medicare Allowable Care. There will also be a discussion regarding settlements of claims prior to CMS approval of a proposed MSA.

- ◆ Medicare Eligibility and Qualifications
- ◆ Trends in WCRC Recommendations
- ◆ Medical Documentation
- ◆ SSDI and Medicare "Reasonable Expectation"
- ◆ Liability MSA vs. Workers' Compensation MSA
- ◆ Costing and Coding
  - Diagnoses Codes
  - CPT Codes
  - HCPCS Codes
  - Workers' Compensation Reimbursement Schedule vs. U&C
  - CMS Calculation Requirements

### Medicare Set-Asides Allocations Costing and Coding

This section will discuss the details of costing and coding.

### A Brief History of Drug Pricing in Medicare Set-Asides/Strategic Solutions

Methods of projecting and calculating prescription drugs.

#### Section 111 Reporting

- ◆ Legislation mandating Medicare reporting
- ◆ Purpose of mandatory Medicare reporting
- ◆ Reporting terminology
- ◆ Critical dates

- ◆ Reporting guidelines
- ◆ Queries
- ◆ Reporting expectations
- ◆ Efforts to modify Section 111 reporting requirements
- ◆ Anticipated impact of Section 111 reporting

### Medicare Conditional Payments

There will be a discussion of what conditional payments are and who to address them.

### MSA Administration and Custodial Accounts

- ◆ Self vs. Professional Administration Requirements
- ◆ Finding the Account
- ◆ Pitfalls of Professional Administration vs. Self Administration
- ◆ Role of a Professional Administrator
- ◆ Payment of Medical Benefits
- ◆ Fee Schedule
- ◆ Usual and Customary

### Submission to CMS for Approval of MSA

This section breaks down all the components in putting together a submission to CMS for approval of MSA. There will be a review of the guidelines on when/how to obtain an MSA. There will be an analysis of a CMS approved sample of submission.

- ◆ Guidelines When to Obtain an MSA
- ◆ Sample of CMS Approved Submission
- ◆ Discussion of All Components
- ◆ Allocation Proposal
- ◆ Role Play and Mock MSA
- ◆ A Sample MSA

### MSP Case Law Overview

A review of current legal cases relative to the Medicare Secondary Payer statute.

## The Program - Day Three

### Course Review

### Exam

## 2012 Schedule

The Certified Medicare Secondary Payer Professional Program will be held:

**Monday, March 26—Wednesday, March 28, 2012**  
**Loews Royal Pacific Resort**  
**Orlando, FL**  
**866-360-7395**

**Monday, June 18-Wednesday, June 20, 2012**  
**Location TBA**  
**San Diego, CA**

**Monday, September 17-Wednesday, September 19, 2012**  
**Location TBA**  
**Chicago, IL**

*See website for hotel details.*

Registration will begin each day at 7:30 am with classes starting promptly at 8:00 am and ending at 6:00 pm on Day 1 and Day 2. Breakfast and lunch will be provided. Dinner will be on your own.

The CMSP course has received continuing education credit approval for CRC, CCM, CWCP, and CLE through the Louisiana Bar Association; (most states will provide reciprocity), Life & Health, Property & Casualty CE through the Louisiana Department of Insurance (most states will provide reciprocity), Adjuster License CE through the State of Louisiana (most states will provide reciprocity).

**CANCELLATION POLICY**

- 2 week prior to seminar: full refund.
- Less than 2 weeks: \$150 cancellation fee.
- Failure to attend without canceling: no refund.

Name

Company Name

Address

City/State/Zip

Phone Fax

E-mail Address

**Make checks payable to LASIE**  
**For More Information Call 1-800-277-8362**  
**or visit our website at [www.cmspprogram.org](http://www.cmspprogram.org)**

## Seminar Instructors

### Earlene Doyle, RN, CCM, LNCC, DABFN, CLCP, MSCC, CMSP

Earlene Doyle is the President and CEO of Medical Management Concepts, Inc. Her professional career includes 20 years of managing and consulting on complex disability claims for self insured employers, union groups, excess insurance carriers, primary insurance carriers, third party administrators, state and federal government agencies, and attorney clients nationwide in the Group Benefits, Property and Casualty, Liability, and Managed Care arenas. With her in-depth knowledge and experience, Earlene is a leader in complex disability claims resolution. Her professional experience includes medical-surgical nursing, HMO/PPO Utilization Review, Catastrophic Case Management, Legal Nurse Consulting, Life Care Planning, Medicare Set-Aside Allocations, Medicare Secondary Payer compliance, and Workers' Compensation PPO development and management. Earlene has also served as an instructor and developed educational training curriculums for Medipro Seminars/University of Florida on the topics of Life Care Planning and Medicare Set-Aside Allocations. She has lectured and developed case management and utilization review training programs for self insured employers, union groups and third party administrators. Earlene is a Registered Nurse, and maintains certifications and credentials of Certified Case Manager, Legal Nurse Consultant Certified, Diplomat of the American Board of Forensic Nursing, Certified Life Care Planner, Medicare Set A-side Certified Consultant, Certified Medicare Set A-side Professional and she is currently pursuing a Master of Arts degree in Strategic Communication and Leadership.

### Tom Files, ACA, CMSP

Tom Files is the Vice President of myMatrixx, a pharmacy services company specializing in Workers' Compensation, Auto Insurance, and Pain Management. He developed and managed the prescription program for un/under-insured individuals. Mr. Files also administers the implementation of Official Disability Guidelines in Workers' Compensation pharmacy benefits management programs. He has also participated as an instructor of Medicare Set Aside education with the University of Florida. Mr. Files is a Certified Case Manager. He has been a conference speaker at Savannah Annual Workers' Comp Update, Mid-Georgia Claims Association, Orlando Claims Association, Southern Association of Workers' Compensation Administrators and Mid-South Workers' Compensation Association. Mr. Files is a member of NAMSAP (Ethics Committee), Florida Association of Self-Insured, Louisiana Association of Self-Insured Employers, and The Texans.

### **Greg Gitter, CMSP**

Greg Gitter is the President of Gitter & Associates, Inc., a firm specializing in negotiating resolution of High-Exposure Workers' Compensation claims for excess carriers, employers, insurance companies and any other parties involved in Workers' Compensation claims. Greg has been involved in the Workers' Compensation arena for 16 years in various capacities including claims adjusting, investigations and management of claims staff. He has extensive experience working within the California Workers' Compensation system as well as intimate knowledge of Jones Act and U.S. Longshore & Harbor law. Over the years, Greg directed his focus on the impact of Long Term, High Exposure, Complex and Catastrophic Workers' Compensation claims and he developed a specialized skill set and specific strategies to identify and resolve these claims to the mutual benefit of all parties involved.

### **Jennifer Jordan, JD, MSCC, CMSP**

Jennifer Jordan is general counsel of MEDVAL, LLC, a consulting firm specializing in Medicare Secondary Payer (MSP) compliance issues in insurance settlements. She possesses extensive knowledge relative to Medicare set-aside allocation recommendation and administration, conditional payment recovery and negotiation, MMSEA reporting requirements, and the underlying statutory, regulatory and administrative policies that serve as the basis of the MSP programs administered by the Centers for Medicare and Medicaid Services. Jennifer has been recognized as an expert of MSP issues by the US Department of Justice, is a frequent presenter of continuing education programs nationwide, and has been an invited author for insurance industry publications nationwide, inclusive of serving as the Editor-in-Chief of The Complete Guide to Medicare Secondary Payer Compliance published by LexisNexis. Jennifer received a 2010 Workers' Compensation Notable Person Award from LexisNexis, recognizing her as a visionary for her efforts in attempting to educate the industry in order to overcome the challenges the MSP and CMS have created in insurance settlements. Jennifer possess an economics degree from the Virginia Polytechnic Institute & State University, and a JD and an MBA from the University of Baltimore, where she was both on Law Review and Editor-in-Chief of the Intellectual Property Law Journal. Additionally, she maintains a life insurance license for structured settlement purposes and is certified by the International Commission on Health Care Certification as a Medicare Set-Aside Certified Consultant and by LASIE as a Certified Medicare Secondary Payer Professional.

### **John Kane, AIC, MSCC, CMSP**

John Kane serves as the Medicare Program Director for the Liberty Mutual Group. As a twenty year employee with Liberty Mutual John has served in a variety of claim positions including Liability and Workers' Compensation including Regional Claims Manager for Integrated

Disability Management and Loss Portfolio Risk Manager. He has been actively engaged in MSP compliance over the last ten years. He developed Liberty Mutual's Centralized MSA Department and is responsible for Vendor Management, Quality Assurance, MSP Compliance and a liaison to Public Affairs to advocate for CMS reform. He is active member of the Property Casualty Insurer Medicare Task Force Committee and was instrumental in seeking Liberty Mutual contribution funds to support the Medicare Advocacy Recovery Coalition (MARC). He is also a member of the National Alliance of Medicare Set Aside Professionals. Prior to Liberty Mutual, John worked in the financial sector as a financial planner with a degree in Business Management. He has an Associate in Claims (AIC), Medicare Set-Aside Consultant Certified (MSCC) designation and is in the process of pursuing his Certified MSP Professional (CMSP) designation.

### **Tom Matson, CMSP**

Tom Matson is the Regional Account Manager at Medivest. Medivest has been the leading provider of professionally administered Medicare Set Aside Accounts and Medical Custodial Accounts, as well as Medicare Allocation Reports or MSAs for 15 years. Tom has been working in the insurance industry for over a decade, and has focused his attention on how recent developments with Medicare will affect the settlement community. He holds a BS in Public Relations from the University of Florida and is a licensed claims adjuster in states throughout the US.

### **Fran Provenzano, RN, BSN, CDMS, CCM, QRP, CLCP, MSCC, CMSP**

As President and CEO of MSA Specialists, Fran has been on the cutting edge of the Medicare Secondary Payer Compliance and was the second professional in the Nation to receive MSCC certification. MSA Specialists is a national service provider of MSA Compliance for claims from New England to Hawaii. She serves as the lead Instructor to the University of Florida for the purpose of providing educational seminars around the nation. These seminars are to educate and train prospective MSA practitioners. Fran has held these seminars (under the UF's direction) in several states and in an online format. These classes are preparation for national certification of new MSA practitioners. Through her involvement with the University of Florida and her leadership role in NAMSAP, Fran is a nationally recognized authority on MSAs, and a highly sought after speaker on the subject. She has presented at National nursing conferences, on a variety of subjects, since the mid-80's. In addition, Fran has authored the MSA section of the Legal Nurse Consultant Textbook and has provided online training for NAMSAP (National Alliance of Medicare Set-Aside Professionals). Fran has served as Vice-President and currently remains a board member of NAMSAP. Fran received her

Bachelor of Science in Nursing from the University of Tampa and holds credentials and certifications in the following areas; Certified Disability Management Specialist; Certified Case Manager, Qualified Rehabilitation Provider, Certified Life Care Planner, Medicare Set-Aside Consultant Certified, Certified Medicare Secondary Payer Professional.

### **Leslie Schumacher, RN, CRRN, CCM, LNCC, CLCP, MSCC, CMSP, CNLCP**

For over 10 years, Leslie has been involved in Medicare Secondary Payer Compliance. Leslie is a Registered Nurse who actively holds Certified Life Care Planner and Certified Nurse Life Care Planner as well as Medicare Set Aside Consultant Certified and Certified Medicare Secondary Payer Professional credentials. A graduate of Drexel University, Leslie also holds the following additional certifications: Certified Case Manager, Certified Rehabilitation Registered Nurse, Legal Nurse Consultant Certified, Medicare Secondary Payer Professional and Certified Nurse Life Care Planner. Leslie maintains professional affiliations with the National Alliance of Medicare Set Aside Professionals (NAMSAP), American Association of Legal Nurse Consultants (AALNC), International Association of Life Care Planners (IALCP) and International Association of Rehabilitation Professionals (IARP). Leslie has been elected as Board Member of both IARP and the IALCP; she is former chairperson of the Education Committee and current Board Member of NAMSAP as well as former ICHCC (International Commission for Health Care Certification) Commissioner of Medicare Set Aside Allocations. She has also participated as an instructor of Medicare Set Aside education with the University of Florida. Leslie is currently President of PlanPoint, a national provider of Medicare Set Aside Allocations as well as all other aspects of Medicare Secondary Payer compliance. Leslie's unique and engaging speaking style coupled with her extensive experience in nursing, Life Care Planning and Medicare Secondary Payer compliance has made her a featured speaker at industry conferences nationwide.

### **Jessica Smythe, JD, MCSS, CMSP**

Jessica C. Smythe is Legal Counsel and National Account Executive for Crowe Paradis Services Corporation. Prior to joining Crowe Paradis, Jessica had close to thirteen years experience as a workers' compensation and liability defense attorney. Her clients included large national and international employers, self insured corporations, third party administrators and insurance carriers. In the course of the representation of her clients, Jessica faced the impact of Medicare compliance on claims handling and litigation on a day to day basis and uses this practical knowledge in her current Medicare

compliance training. Jessica is a national speaker on Medicare compliance issues, including Medicare set asides, the negotiation and settlement of conditional payments and MMSEA reporting requirements. Jessica also provides Medicare compliance training to the world's largest insurance carrier and the nation's largest carriers, third party administrators, self-insureds and state fund and guaranty associations. She also provides Medicare compliance instruction for the nation's leading law firms. Jessica is a certified instructor for the CEU Institute and is a frequent lecturer at national conferences and on behalf of private and public entities including The Rand Corporation, the City/County of San Francisco, RIMS (Risk and Insurance Management Society), the California Workers' Compensation Defense Attorneys' Association (CWCDAA), the North Carolina Association of Defense Attorneys, the Nevada Self Insured Association, the Mississippi Association for Self Insureds, Council on Litigation Management (CLM), Perrin Conferences and HB Litigation Conferences. Jessica was also a 2010 faculty member on the advanced Medicare Set Aside certification training program offered through the University of Florida. She was also a featured panel speaker for the NSSTA (National Structured Settlement Trade Association) 25<sup>th</sup> Annual Conference held last year in Washington, D.C. Jessica is a graduate of Meredith College, with a Bachelor of Arts degree, magna cum laude. She graduated from the Norman Adrian Wiggins School of Law, Campbell University and was a finalist in the National Moot Court Competition where she was awarded Best Oralist. She was also a member of the National Trial team and was a quarterfinalist in the National Trial Competition. Jessica is an inductee to the Order of the Barristers and is a member of the North Carolina Bar Association, the Wake County Bar Association, the North Carolina Association of Defense Attorneys, the Trucking Industry Defense Association (TIDA), the Council on Litigation Management and the National Association of Medicare Set Aside Professionals (NAMSAP).

### **Michael E. Westcott, CMSP**

Michael, an Associate, manages the Ringler Associates Wausau, Wisconsin office. His background includes over 20 years of structured settlement experience, including resolution of claims involving personal injuries, Medicare Set Asides, workers' compensation, long shore and harbor workers, common carrier and trucking, medical malpractice, religious organizations, and reinsurance, as well as an array of unique claim resolutions. He is certified in the use of structured settlements in the structured sale of real estate, businesses, divorce, non-wage employment issues, independent contractors and other taxable exchanges. He has held executive management positions with several national settlement annuity firms, and he served as National Vice President – Technical Markets for AON Brokers at world headquarters in Chicago. Michael is a nationally recognized industry speaker on Medicare, unique niche claim resolution, public

lien issues and claims management. He holds insurance licenses in multiple states, and he is a member of the National Structured Settlements Trade Association (NSSTA). Other memberships include the Long Shore and Harbor Workers' Claims Association, the Trucking Industry Defense Association, a Charter Member of the National Alliance of Medicare Set Aside Professionals (NAMSAP), where he served on the Board of Directors in 2006. Michael received his Bachelor of Arts degree from the University of Wisconsin.

### **Russell Whittle, JD, MSCC, CMSP**

Russell S. Whittle is Vice president of MSP Compliance for Gould & Lamb, LLC based in Bradenton, Florida. Gould & Lamb, LLC is widely considered the national leader in Medicare Secondary Payer compliance, Mandatory Insurer Reporting, Medicare set aside allocations and Life Care Planning. In his twenty plus years of practice prior to joining Gould & Lamb, LLC, Mr. Whittle practiced primarily in the area of insurance defense, representing the interests of large insurers and employers in both workers' compensation and general liability matters. He also developed and supervised the Medicare set aside and Medicare Secondary Payer Compliance department of a busy South Florida law firm. Mr. Whittle has litigated both first and third party accident and workers' compensation claims in courtrooms throughout Florida and also acted as a managing partner for the Fort Myers, Florida office of a large insurance defense firm. In 1995 he earned Board Certification from The Florida Bar as a Specialist in Workers' Compensation Law. He also earned certification as a Medicare Set-Aside Consultant from the International Commission on Health Care Certification. His varied experience has included real estate, title insurance, personal injury, and property damage cases. Mr. Whittle graduated from Skidmore College in Saratoga Springs, New York in 1986. He earned his J.D. from the University Of Miami School Of Law in Coral Gables, Florida in 1989. He is a member of the Workers' Compensation Section of the Florida Bar, the Manatee County Bar Association, the National Alliance of Medicare Set Aside Professionals, Inc. He routinely meets with the United States House of Representatives and the United States Senate as a member of the Steering Committee of the Medicare Advocacy Recovery Coalition to advocate for Medicare legislation and regulation. Mr. Whittle lectures extensively on Medicare Set Aside issues including Medicare Secondary Payer legislation and compliance, discovery, ethics, Liability and Workers' Compensation law, while remaining active in local bar associations and community activities.

See website for faculty updates