

Medicaid – Third Party Liability (TPL)

Program Description

Third party liability (TPL) staff in the Client Services Unit ensure that Medicaid is the payor of last resort. TPL staff concentrate on identifying when another individual, entity, insurer, or program has the responsibility to pay part or all of the claim prior to Medicaid making payment.

Program Expenditures and Total Dollars Recovered

	SFY 2016	SFY 2017	SFY 2018
Total Program Cost	\$863,165	\$873,821	\$898,969
Total TPL Dollars Recovered*	\$4,764,659	\$4,602,136	\$5,205,642
Non-600 Series**	100%	100%	100%

*Includes estate recovery, TPL recovery and credit balances, but it does not include cost avoidance. ** 600 series is defined as direct service contracts.

Program Cost Notes

- The AG's Office performs legal services for TPL and estate recovery.
- Medicaid's Fiscal Agent (contractual, Conduent) performs cost avoidance, pay and chase recoveries, pursues small personal injury recoveries involving medical payments coverage, tort recovery for criminal restitution, products liability, worker's compensation, preliminary research for estate recovery, and Medicare reclamation.
- Recoveries made by TPL are reported on the CMS-64 report. Using the current FMAP rate, federal funds are returned to CMS for TPL services.
- Costs are 50% SGF / 50% Federal Fund

Program Staffing

- 1 FTE Program Manager
- Contractual (Conduent) Staff 10.5 FTE for TPL and credit balance services
- 2 part-time attorneys and 1 part-time paralegal at the Attorney General's Office

Program Metrics

- Dollar amount of cost avoidance, pay and chase recoveries, estate recoveries, third party liability recoveries, and credit balance recoveries achieved.

Events that have Shaped this Program

- Social Security Act and the United States Code mandate third party liability and estate recoveries.
- Wyoming Statutes §§ 42-4-201 – 42-4-207 Medicaid Benefit Recovery.
- Wyoming Medicaid Rules Chapter 35 Benefit Recovery.
- Bipartisan Budget Act of 2018 – Prenatal services must be cost avoided beginning 02/09/2018.