



What is the Casualty Recovery Program?

Casualty Recovery gives the Medicaid Program the right to recover expenditures in subrogation claims. Recovery of Medicaid expenditures is sought in a situation in which a Medicaid member has suffered a loss and is pursuing claims against another party for injuries sustained as a carrier, a corporation, or any person or entity from which the member may seek monetary recovery.

The Subrogation Unit enforces the Georgia Department of Community Health's (DCH) Casualty Recovery Program and ensures that the State receives its reimbursement.

What do you do first to comply with the Casualty Recovery Program?

Ask your client if they are covered under Medicaid or PeachCare for Kids®. You may contact our office to verify that your client is covered under either of these programs. Also check with your client to see if they are covered under managed care, as you will then need to contact the appropriate managed care provider for its lien amount.

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Fax: 855-467-3970

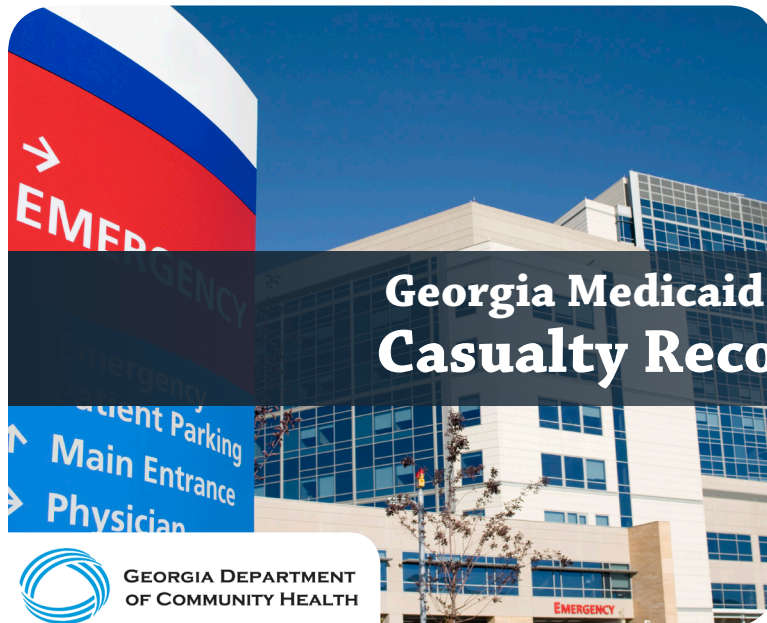
Phone: 678-564-1163

Please call our office for any further assistance.

Do You Have Questions?

Address Correction Requested

900 Circle 75 Parkway
Suite 650
Atlanta, GA 30339
GEORGIA DEPARTMENT
OF COMMUNITY HEALTH



Georgia Medicaid Subrogation Unit: Casualty Recovery Program





What will the Subrogation Unit do for you and the client?

The Subrogation Unit will verify the member's eligibility status at the time of the accident or injury, determine whether DCH incurred any medical history of injury-related claims. This information is available to attorneys who submit a written request along with signed medical authorization from the client granting the attorney access to the member's medical records.

What medical assistance costs are recovered?

The Subrogation Unit will seek reimbursement for injury-related medical expenses paid to a Medicaid provider. A reimbursable injury/loss may be related to an auto accident, medical malpractice, general liability, workers' compensation, or any other tort claim when a settlement has been reached or a judgment has been awarded.

How much can be recovered?

In most cases, Medicaid pays less than the amount of charges billed by the Medicaid provider. Contractually, the provider must accept Medicaid's payment as payment in full and cannot bill the customer for the difference. In seeking reimbursement, Medicaid can only legally claim repayments up to the amount that it has expended. Once a provider has submitted claims for adjudication, the provider must accept Medicaid's payment. The Department of Community Health (DCH) has the right to attempt to recover the full amount of the medical expenses paid to the provider.

What are the attorney's obligations?

The attorney or legal representative is required by law to notify DCH prior to initiating a tort recovery action. Notification can be done by:

- » **phone:** 678-564-1163
- » **U.S. mail**
- » **fax:** 855-467-3970

For more information about notification requirements, visit: www.hms.com/ga/medicaidrecovery

Need more information about subrogation recovery rights?

The Medicaid application is a binding legal document. When a member signs this application, he or she acknowledges that medical benefits paid on his or her behalf must be reimbursed to the DCH if he or she is entitled to benefits from a third party. The authority and subrogation recovery rights can be referenced in the following state and federal citations:

- » O.C.G.A. § 9-2-21
- » O.C.G.A. § 49-4-148
- » O.C.G.A. § 49-4-149
- » 42 CFR 433.138

The authority for DCH's right to recover the medical payments it had made through casualty recovery is found in the above sections.

What does the DCH do to enforce its rights?

Failing to reimburse DCH may impact the member's Medicaid eligibility.

How do you repay the Department of Community Health?

Make your check payable to the Georgia Department of Community Health and mail it to:

Georgia Department of Community Health
P.O. Box 1984
Atlanta, GA 30301-1984

