

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 2, 2009 (X) Consent ( ) Regular  
( ) Ordinance ( ) Public Hearing

Department  
Submitted By: Risk Management

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to adopt: A Resolution granting the delegation of authority to the County Administrator, or his designee, to execute any necessary documents associated with the mandatory registration and reporting requirements under the provisions of the Medicare Secondary Payer Mandatory Reporting Provisions in Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (See 42 U.S.C. 1395y(b)(7)&(b)(8) and in other guidance issued by the Centers for Medicare and Medicaid Services (CMS).

**Summary:** Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 has recently added new mandatory reporting requirements for group health plans, liability insurance (including self-insurance) and workers' compensation. The Palm Beach County Board of County Commissioners is a "responsible reporting entity" (RRE) which must comply with these mandatory reporting requirements and must register with the Medicare Coordination of Benefits Contractor as required by the Act. Through the registration process, RREs will provide notification to the Medicare Coordination of Benefits Contractor of their intent to report data in compliance with the requirements of Section 111 of the Act. The delegation from the County Administrator to the Director of Risk Management will be requested for the purpose of compliance and timely registering and reporting under the Act. Registration must be completed before testing for the mandatory reporting can begin. Countywide (TKF)

**Background and Justification:** On Dec. 29, 2007, President George W. Bush signed the multi-faceted Medicare, Medicaid, and SCHIP Extension Act of 2007. At the center of this bill is the Medicare Secondary Payer (MSP) mandate that adds new reporting requirements for group health plan (GHP) arrangements and for liability insurance (including self-insurance), and workers' compensation. The group health plan is in compliance with the requirements, which were met by the County's Third Party Administrator, CIGNA Health Care as required by Section 111. For the liability and workers' compensation, however, registration must be completed by the County prior to July 1, 2009. The Board's authorization of the delegation of authority to the County Administrator, and his delegation to the Director of Risk Management, will allow for the necessary electronic registration of the County as a Responsible Reporting Entity. Registration is anticipated to be a lengthy multi-step process.

**Attachments:**

Resolution

Recommended by: Nancy L. Bolth Department Director 5/8/09 Date

Approved by: Paul Merriam Assistant County Administrator 5/27/09 Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact**

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____

**NET FISCAL IMPACT** \* \_\_\_\_\_

# ADDITIONAL FTE POSITIONS (Cumulative) \_\_\_\_\_

Is Item Included In Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account No.: Fund \_\_\_\_\_ Agency \_\_\_\_\_ Org. \_\_\_\_\_ Object \_\_\_\_\_

Reporting Category n/a

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

\* No fiscal impact

C. Departmental Fiscal Review: Cary Karpell

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

Ami On 5/21/09  
OFMB MD 5/13/09

An J. Jacobson 5/27/09  
Contract Administration E. Jones 5/27/09

**B. Legal Sufficiency:**

JPD 5/28/09  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

This summary is not to be used as a basis for payment.

**RESOLUTION NO. \_\_\_\_\_**

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DELEGATING ITS AUTHORITY TO THE COUNTY ADMINISTRATOR OR HIS DESIGNEE FOR THE EXECUTION OF ANY NECESSARY DOCUMENTS ASSOCIATED WITH THE MANDATORY REGISTRATION AND REPORTING REQUIREMENTS UNDER THE PROVISIONS OF THE MEDICARE SECONDARY PAYER MANDATORY REPORTING PROVISIONS IN SECTION 111 OF THE MEDICARE, MEDICAID, AND SCHIP EXTENSION ACT OF 2007 (SEE 42 U.S.C. 1395Y(B)(7)&(B)(8)) AND IN OTHER GUIDANCE ISSUED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS).

WHEREAS, On Dec. 29, 2007, President George W. Bush signed the multi-faceted Medicare, Medicaid, and SCHIP Extension Act of 2007, AND

WHEREAS, Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 has recently added new mandatory reporting requirements for group health plans, liability insurance (including self-insurance) and workers' compensation, AND

WHEREAS, The Palm Beach County Board of County Commissioners is a "responsible reporting entity" (RRE) which must comply with these mandatory reporting requirements and must register with the Medicare Coordination of Benefits Contractor as required by the Act, AND

WHEREAS, The Board of County Commissioners wishes to delegate its authority to approve and execute any documents that are required for the County to be in compliance with the mandatory registration and reporting requirements as required by the Act to the County Administrator or his designee.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

The County Administrator or his designee is authorized to execute documents in connection with and necessary for the mandatory registration and reporting requirements under the provisions of the Medicare Secondary Payer Mandatory Reporting provisions in Section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and being put to a vote, the vote was as follows: