



Break free of typical Medicare Set-Asides

An EBMSA can help settle claims when submitting an MSA isn't the best option

The Centers for Medicare and Medicaid Services (CMS) has clearly indicated that submission of an MSA is a voluntary process, but if the parties choose to submit, then the MSA is subject to CMS's review policies and procedures, which oftentimes doesn't align with established medical treatment guidelines and practices. If the parties determine an MSA with approval isn't the best option, an Evidence-Based Medicare Set-Aside (EBMSA) may be appropriate.

When utilized properly EBMSAs adequately protect Medicare's interest by fulfilling the future medical compliance obligations with a defensible and reasonable set-aside that ensures you pay only what is medically expected to be used. Our EBMSA is based on expert medical analysis that aligns with treatment expectations and is supported by medical principles driven by nationally accepted clinical guidelines. This increases settlement opportunities and eliminates unnecessary future medical costs, while still considering Medicare's interest in workers' compensation settlements.

Real Results: A case example where EBMSA principles would have resulted in a more reasonable allocation

CMS Approved MSA: \$291,891.00

EBMSA Evaluation: \$196,768.00

Basis for reduction:

- Physician visits were priced at a lower code (99213 vs. 99214)
- A court order ruling that Movantik should be weaned and discontinued


Potential Savings: nearly \$100,000.00 or ~33%

As each case is fact specific, the potential for reduction will vary and the decision to incorporate EBMSAs into compliance programs should be made after weighing the pros and cons of MSA submission against settlement goals and risk tolerance. Whether it's a strategic approach based on each individual claim or a more programmatic approach, we can help you develop a process that's right for you.

Get your complimentary consultation

To learn more about EBMSA, please contact:

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ISO Claims Partners

is uniquely positioned to help you achieve compliance and cost savings with our legal, medical, and technology expertise.

INSIGHTS

- Data from more than 1 billion industrywide claims
- The largest number of successful Medicare submissions in the industry
- Market-leading predictive analytics tools supporting enhanced triaging and resolution
- Industry-leading OCR and text-mining capabilities

ADVOCACY

- The industry's largest and most experienced team of legal and medical MSP compliance experts
- Customized, flexible solutions based on your risk management strategy
- On-site file consultation and pickup

RESULTS

- Improved claims outcomes and loss ratios
- Expedited settlements
- Mitigated risk and settlement consistency

