

Health Insurance Group
PO Box 14023
Salem, OR 97309

To: Coordinated care organizations

From: Janine Kelty, Manager, Health Insurance Group

Date: November 22, 2022

Re: Guidance for Third Party Liability notification and reporting

This guidance document from the Health Insurance Group (HIG) Unit is intended to help coordinated care organizations (CCOs) in developing internal processes for:

1. Notifying HIG of any potential Third Party Liability (TPL) activity; and
2. Reporting any third-party payers for recoveries the CCO has received.

In this document, “CCO” also applies to a CCO’s subrogation firm if the CCO has given its subrogation firm the authority to pursue Third Party Liability on its behalf. It is the responsibility of the CCO to ensure that its subrogation firm is complying with the terms of the HIG guidance as it relates to the CCO contract and ORS 416.510-416.610.

Please note that for Contract Year 2023, the CCO must submit separate policies and procedures for Exhibit B, Part 8, Section 17 (Third Party Liability, Excluding Personal Injury Liens) and Section 18 (Personal Injury Liens).

Notifying HIG of TPL:

The CCO will inform HIG of all third parties that are primary payers for all or part of claims paid by the CCO for services provided to a member within 30 days of knowledge of such potential liability.

1. When the CCO has identified that a potential third party may be responsible for the member’s medical or pharmacy services, the CCO should collect as much of the following as possible:
 - a. The name of the Third Party Payer, or in cases where the Third Party Payer has insurance to cover the liability, the name of the policy holder;
 - b. The member’s relationship to the Third-Party Payer or policy holder;
 - c. The social security number of the Third-Party Payer or policy holder;
 - d. The name and address of the Third-Party Payer or applicable insurance company;
 - e. The policy holder’s policy number for the insurance company; and
 - f. The name and address of any Third-Party who paid the claim for the member.

2. The CCO should have a process to collect and store this information for potential recovery. The CCO shall inform HIG within 30 days of knowledge of potential third party liability.
 - a. Submit the information using the HIG online webform at <https://apps.oregon.gov/dhs/opar#>.

The following criteria will be used to determine compliance:

1. CCO submitted notification to HIG through online webform;
2. CCO notified HIG within 30 days; and
3. Member information provided along with Third Party Payer information, and Third Party Payer policy type.