


DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Wells</i>	DATE <i>8-16-10</i>
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DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <i>101074</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>Cleand 8/25/10, letter attached.</i> 	<input checked="" type="checkbox"/> Prepare reply for appropriate signature DATE DUE <i>8-25-10</i>  <input type="checkbox"/> FOIA DATE DUE _____  <input type="checkbox"/> Necessary Action

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			

## Brenda James - Fwd: State of South Carolina Medicaid Questionnaire

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**From:** Bryan Kost  
**To:** Brenda James  
**Date:** 8/13/2010 3:26 PM  
**Subject:** Fwd: State of South Carolina Medicaid Questionnaire

**RECEIVED**

Please log. Thanks,

AUG 16 2010

Department of Health & Human Services  
 OFFICE OF THE DIRECTOR

Bryan Kost  
 DHHS Senior Consultant  
 803.898.2865  
 cell- 429.3201  
 kostbr@scdhhs.gov

>>> "Susan Kloss" <susan.kloss@gouldandlamb.com> 8/13/2010 3:09 PM >>>  
 Dear Sir and/or Madam,

Gould & Lamb is building a Medicaid database for each Medicaid state office. We are a third party administrator for insurance carriers that are trying to investigate any Medicaid liens that may have accrued where the insurance carrier is the responsible party. The insurance carrier would like to know the amount of the liens so they can reimburse Medicaid. Our Medicaid Lien Research Service is new for Gould & Lamb. We typically handle Medicare Lien Research and we are now expanding to Medicaid reimbursements. It would be greatly appreciated if you would help with answering the following questions. If I have sent this to your department in error, please forward to the appropriate department.

1. Please provide the company name, contact person's name, address, telephone and fax numbers to report the case and begin the process of investigating any liens owed to Medicaid;
2. Does the state of South Carolina require a specific form to fill out or can we submit our request in writing;
3. What is the turn around time once we submit our request for a lien amount;
4. Does the state of South Carolina require a state specific HIPAA release to be sent or can we use our HIPAA release authorizing our company the release of information;
5. Does the state of South Carolina negotiate Medicaid liens; and
6. What is the process for obtaining a Final Demand.

Thank you in advance for taking time out of your busy schedule to help with the above request.

Susan Kloss  
 Legal/Compliance Department Administrative Assistant  
 Gould & Lamb, LLC.  
 101 Riverfront Boulevard, Suite 100  
 Bradenton, Florida, 34205  
 Phone: 866-MSA-FILE / 941-798-2098 x1538  
 FAX: (941) 798-3403  
 www.gouldandlamb.com

Gould & Lamb intend that this message be used exclusively by the addressee(s). This message may contain information that is privileged, confidential and exempt from disclosure under applicable law. Unauthorized disclosure or use of this information is strictly prohibited. If you have received this communication in error, please permanently dispose of the original message and notify Gould & Lamb immediately at 941-798-2098, or, [www.gouldandlamb.com](http://www.gouldandlamb.com) Thank you

August 25, 2010

809 74 ✓

Ms. Susan Kloss  
Legal/Compliance Department  
Gould & Lamb, LLC.  
101 Riverfront Boulevard, Suite 100  
Bradenton, Florida, 34205

Dear Ms. Kloss:

Thank you for your inquiry regarding Medicaid liens in South Carolina. The South Carolina Department of Health and Human Services (SCDHHS) is assigned an applicant/recipient's right to recover from liable third parties as a condition of eligibility under both state and federal law. In South Carolina, the assignment is automatic under state law. Additionally, South Carolina law also provides that SCDHHS is subrogated to the rights of an applicant/recipient to recover from liable third parties. These rights apply in cases involving all types of third parties, including, but not limited to group health plans, casualty insurance, and workers' compensation insurance. It is unclear from your correspondence for which, if any, of these types of insurer you serve as the third party administrator. For purposes of this response, we have assumed that you are working with casualty and/or workers' compensation insurers.

1. Please provide the company name, contact person's name, address, telephone and fax numbers to report the case and begin the process of investigating any liens owed to Medicaid.

SCDHHS handles its own casualty and workers' compensation workload. The Program Coordinator for our casualty department is:

Angela West-Barnett  
South Carolina Department of Health and Human Services  
Casualty Department  
P.O. Box 100127  
Columbia, SC 29202-3127  
803.898.2953 (T)  
803.255.8225 (F)

2. Does the state of South Carolina require a specific form to fill out or can we submit our request in writing?

SCDHHS has an itemization request form that contains the information that we need in order to research a case. We prefer that requests for information be submitted using this form. A copy is enclosed and may be reproduced for use as needed.

3. What is the turn around time once we submit our request for a lien amount?

While normal turn around time is usually less, our standard is to return itemizations within one month of the date of receipt. Itemizations are sent out by mail.

4. Does the state of South Carolina require a state specific HIPAA release to be sent or can we use our HIPAA release authorizing our company the release of information?

SCDHHS has a HIPAA authorization form available on its web site ([www.scdhhs.gov](http://www.scdhhs.gov)) that has been designed to ensure that all HIPAA requirement elements necessary for a valid authorization are included. Our preference is that this form be used to avoid the necessity of having to request additional information.

5. Does the state of South Carolina negotiate Medicaid liens?

SCDHHS treats each case individually and on the facts and merits of the particular case. SCDHHS complies with state and federal statutes and regulations regarding recovery from liable third parties.

6. What is the process for obtaining a Final Demand?

SCDHHS is not familiar with the term "Final Demand." However, as noted in our response to question 5, we treat each case individually and on its merits. As with any matter in dispute, there comes a point at which each side reaches a point beyond which it is unwilling to go. We have no set process for getting to such a point.

We hope that the information we have provided is responsive to your questions and is helpful to you. Please feel free to contact us if you have any questions or would like to discuss any of these matters.

Sincerely,



Angela West-Barnett