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**Subject:** Guidance from CMS on Medicaid and Coordination of Benefits

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## **Guidance from CMS on Medicaid Coordination of Benefits**

In a new handbook from the Centers for Medicare & Medicaid Services entitled "[Coordination of Benefits and Third Party Liability \(COB/TPL\) in Medicaid](#)," guidance is provided that services provided under the Older Americans Act are an exception to the "Medicaid is payer of last resort" rule.

"Under the OAA [Older Americans Act], there is a source of funding to cover some services that are also covered by Medicaid. Individuals, however, are not legally entitled to receive services through OAA, and thus the OAA program has no legal obligation to cover those services. Since the OAA program is not legally liable for the service, the OAA does not fall within the definition of 'third party.' Accordingly, Medicaid will pay for a service even if the OAA program would also pay for the service."

This guidance may be useful to community-based organizations, states, aging service providers, and other stakeholders in planning services and payment, or considering contracting with Medicaid providers and payers.

For more information or questions, please email Greg Link at [Greg.Link@acl.hhs.gov](mailto:Greg.Link@acl.hhs.gov).

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