

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Illinois

MEDICAL ASSISTANCE PROGRAM

Citation	Condition or Requirement
Section 1902(a)(42)(B)(i) of the Social Security Act	<p data-bbox="839 281 1367 311">4.5 Medicaid Recover Audit Contractor Program</p> <p data-bbox="839 341 1607 492"><input checked="" type="checkbox"/> The State has established a program under which it will contract with one or more recovery audit contractors (RACs) for the purpose of identifying underpayments and overpayments of Medicaid claims under the State plan and under any waiver of the State plan.</p> <p data-bbox="839 523 1607 771"><input checked="" type="checkbox"/> The State is seeking an exception to establishing such program for the following reasons: <i>Illinois is seeking an exception to the January 1, 2012 implementation date described in the Final Rule and to the July 1, 2012 extended date. No later than July 1, 2012 January 1, 2013, Illinois will have a RAC contract in place that will adhere to the attestations in this SPA.</i></p>
Section 1902(a)(42)(B)(ii)(I) of the Act	<p data-bbox="839 795 1607 886"><input checked="" type="checkbox"/> The State/Medicaid agency has contracts of the type(s) listed in Section 1902(a)(42)(B)(ii)(I) of the Act. All contracts meet the requirements of the statute. RACs are consistent with the statute.</p> <p data-bbox="897 916 1498 946">Place checkmark to provide assurance of the following:</p> <p data-bbox="839 976 1607 1037"><input checked="" type="checkbox"/> The State will make payments to the RAC(s) only from amounts recovered.</p> <p data-bbox="839 1067 1607 1127"><input checked="" type="checkbox"/> The State will make payments to the RAC(s) on a contingent basis for collecting overpayments.</p>
Section 1902(a)(42)(B)(ii)(II)(aa) of the Act	<p data-bbox="839 1152 1607 1242">The following payment methodology shall be used to determine State payments to Medicaid RACs for identification and recovery of overpayments (e.g., the percentage of the contingency fee):</p> <p data-bbox="839 1273 1607 1363"><input checked="" type="checkbox"/> The State attest that the contingency fee rate paid to the Medicaid RAC will not exceed the highest rate paid to Medicare RACs, as published in the Federal Register.</p> <p data-bbox="839 1394 1607 1545"><input type="checkbox"/> The State attests that the contingency fee rate paid to the Medicaid RAC will exceed the highest rate paid to Medicare RACs, as published in the Federal Register. The State will only submit for FFP up to the amount equivalent to that published rate.</p> <p data-bbox="839 1575 1607 1717"><input type="checkbox"/> The contingency fee rate paid to the Medicaid RAC that will exceed the highest paid to Medicare RACs, as published in the Federal Register. The State will submit a justification for that rate and will submit for the FFP for the full amount of the contingency fee</p>

TN # 12-017
Supersedes
TN # 11-12

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Citation	Condition or Requirement
	4.5 Medicaid Recovery Audit Contractor Program (Continued)
Section 1902 (a)(42)(B)(ii)(II)(bb) of the Act	<input checked="" type="checkbox"/> The following payment methodology shall be used to determine State payments to Medicaid RACs for the identification of underpayments (e.g., amount of flat fee, the percentage of the contingency fee): <i>Payment will be based on a flat fee.</i>
Section 1902(a)(42)(B)(ii)(III) of the Act	<input checked="" type="checkbox"/> That State has an adequate appeal process in place for entities to appeal any adverse determination made by the Medicaid RACs.
Section 1902(a)(42)(B)(ii)(IV)(aa) of the Act	<input checked="" type="checkbox"/> The State assures that the amounts expended by the State to carry out the program will be amounts expended as necessary for the proper and efficient administration of the State plan or a waiver of the plan.
Section 1902(a)(42)(B)(ii)(IV)(bb) of the Act	<input checked="" type="checkbox"/> The State assures that the recovered amounts will be subject to the State's quarterly expenditure estimates and funding of the State's share.
Section 1902(a)(42)(B)(ii)(IV)(cc) of the Act	<input checked="" type="checkbox"/> Efforts of the Medicaid RAC(s) will be coordinated with other contractors or entities performing audits of entities receiving payments under the State plan or waiver in the State, and/or State and Federal law enforcement entities and the CMS Medicaid Integrity Program.

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Citation	Condition or Requirement
42 CFR 455.12 AT-78-90 48 FR 3742 52 FR 48817	4.5a Medicaid Agency Fraud Detection and Investigation Program The Medicaid agency has established and will maintain methods, criteria, and procedures that meet all requirements of 42 CFR 455.13 through 455.21 and 455.23 for prevention and control of program fraud and abuse.

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