

SECTION 4 – GENERAL PROGRAM ADMINISTRATION

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4.5.1 Medicaid Recovery Audit Contractor Program (EXCEPTIONS)

Citation	Exception
42 CFR 455.508(f)	<p data-bbox="691 432 1268 462"><b>1. Exception from 3 year look back period</b></p> <p data-bbox="773 499 1490 695">The Commonwealth of Kentucky (hereinafter referred to as the Commonwealth) is requesting an exception to the 3 year look back period defined in §455.508 Eligibility requirements for Medicaid RACs (f) that states, "The entity must not review claims that are older than 3 years from the date of the claim, unless it receives approval from the State."</p> <p data-bbox="773 732 1490 829">Kentucky seeks approval for a 5 year look back period for its retrospective reviews in order to be consistent with Kentucky policy prior to CMS RAC regulations.</p> <p data-bbox="773 867 1490 993">Kentucky Administrative code requires all Medicaid participating providers to maintain documentation for a minimum of five years from "a. the date of final payment for services"</p> <ul data-bbox="773 1037 1490 1600" style="list-style-type: none"><li data-bbox="773 1037 1490 1234">• This requirement not only holds Medicaid providers responsible for the accuracy of paid claims, but also allows the Commonwealth to recover any overpayments identified due to noncompliance with the Commonwealth rules and regulations for a five year period.</li><li data-bbox="773 1272 1490 1369">• A five year look back period is consistent with the record requirement period by other licensing and regulatory agencies.</li><li data-bbox="773 1407 1490 1600">• A five year look back maximizes the identified overpayments and lessened the interval period by which a particular provider can be cost effectively audited. The five year look back period will result in audit cost saving and be less burdensome to the providers.</li></ul>