

Revision:

State        Maine       

**4.5b Medicaid Recovery Audit Contractor Program**

<p>Citation</p> <p>Section 1902(a)(42)(B)(i) of the Social Security Act</p>  <p>Section 1902(a)(42)(B)(ii)(I) of the Act</p>    <p>Section 1902(a)(42)(B)(ii)(II)(aa) of the Act</p>	<p><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><input type="checkbox"/> The State is seeking an exception to establishing such program for the following reasons: No later than June 1, 2012, Maine will have a RAC contract in place that will adhere to the attestations in this SPA.</p> <p>The State of Maine is requesting an exemption to the 3 (three) year look back period defined in 42 CFR 455.508(f) - Eligibility Requirement for Medicaid RACs. The State seeks a 5 (five) year look back period for its retrospective reviews in order to be consistent with Maine policy.</p> <p>The State Recovery Audit Contractors (RACs) have been encountering problems when looking at more recent claims that provider have not had a chance to adjust or void.</p> <p><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>Place a check mark to provide assurance of the following:</p> <p><input checked="" type="checkbox"/> The State will make payments to the RAC(s) only from amounts recovered.</p> <p><input checked="" type="checkbox"/> The State will make payments to the RAC(s) on a contingent Basis for collecting overpayments.</p> <p>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><input checked="" type="checkbox"/> The State attests 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>
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**Supersedes**  
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