State: _____ Wisconsin _____

4.5 Medicaid Recovery Audit Contractor Program

Citation		
Section 1902 (a)(42)(B)(i) of the Social Security Act	**X**	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.
		The State is seeking an exception to establishing such a program for the following reasons: **The State is not seeking an exception to establishing such a program.**
Section 1902 (a)(42)(B)(ii)(I) of the Act	**X**	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, **with the following exception**: **In accordance with 42 CFR § 455.516, the State has requested an exemption from the § 455.508(b) requirement that its RAC hire a minimum 1.0 FTE Contractor Medical Director in good standing with the relevant State licensing authorities, to allow its RAC to instead retain a Medical Director in good standing with the relevant State licensing authorities of another State.**
	Place a check mark to provide assurance of the following:	
	X	The State will make payments to the RAC(s) only from amounts recovered.
	X	The State will make payments to the RAC(s) on a contingency basis for collecting overpayments.
Section 1902 (a)(42)(B)(ii)(II)(aa) of the Act	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):	
	X	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.
	N/A	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.