

There is a new Federal law – Section 111 of the MMSEA of 2007 – that requires insurers to tell the Medicare program if the insurer is providing coverage to a working Medicare beneficiary, or a Medicare beneficiary who is a spouse or dependent of a worker, if these beneficiaries have employer sponsored health insurance coverage. Insurers need to give Medicare this information because *earlier* law(s) (existing Medicare Secondary Payer Statute) established that in many cases the employer’s insurer is to pay for the Medicare beneficiary’s health care before Medicare pays. In order for Medicare to know when to pay first, and when not to, Medicare needs to know about the existence of other health insurance coverage.

Because of the new Section 111 law, insurers now have to tell Medicare about all the Medicare beneficiaries the insurers are covering. In their reports, insurers identify Medicare beneficiaries using the beneficiaries’ Medicare ID Number. The official name of the Medicare ID number is the Medicare Health Insurance Claim Number – the Medicare HICN. It is the HICN that insurers must send to Medicare. Keep in mind that since the beginning of the Medicare program in 1965, Medicare beneficiaries have been required to give their HICN to any entity (doctor, hospital, insurer, etc.) that provides or may pay for health care services used by a Medicare beneficiary. If you are a Medicare beneficiary and your insurer asks for your Medicare ID number you need to provide it.

With almost 45 million people eligible for Medicare coverage, there are some who may not realize they are beneficiaries, and others that an employer or insurer may not know are beneficiaries. Most people become Medicare beneficiaries when they turn 65. But millions more are Medicare beneficiaries because they are disabled, or because they have “end stage renal disease (ESRD)” – kidney failure. People who are beneficiaries due to disability or ESRD can be any age. They can also be actively working and covered by employer sponsored health insurance, or they can be Medicare beneficiaries who are also covered dependents of workers. Over the years the Medicare program has found that if an insurer or employer sends Medicare a list of employees along with their SSNs, Medicare will find some who are Medicare beneficiaries. In order for Medicare to look, it needs to have a person’s HICN, or SSN. Medicare tells this to employers and insurers, and has been doing so for many years.

Since the new Section 111 law went into place, some insurers are insisting that they get the SSNs of everyone they may be covering, and sometimes they say they must do so because of the Section 111 reporting requirements. As I noted above, providing SSNs to an insurer can be useful, and Medicare does say that SSNs can be used if an employer or insurer wants Medicare to check its databases for evidence of Medicare entitlement. However, there is no language in the Section 111 law itself that mandates collection or reporting of SSNs to Medicare, and in fact Medicare does not require that insurers collect the SSNs of everyone it provides coverage for. Medicare requires only that insurers send the Medicare ID numbers – HICNs – of Medicare beneficiaries, and that they take appropriate steps to ensure that they tell Medicare about all the Medicare beneficiaries they also provide coverage for. Any message to you stating or implying that you must provide your SSN because of the new Section 111 reporting requirements is not accurate.