

Protecting the rights of low income older adults

A Helpful Advocacy Tool:

CMS Memoranda on Balance Billing Protections for Qualified Medicare Beneficiaries

CMS recently released an [informational bulletin](#) to state Medicaid agencies addressing the prohibition on balance billing of Qualified Medicare Beneficiaries (QMBs) for Medicare-covered services when charges are not fully paid by Medicare and Medicaid. The bulletin emphasizes to states that, under federal law, neither providers nor Medicare managed care plans may charge QMBs for Medicare cost sharing.

In the fall, CMS issued a [notice to providers](#), through its Medicare Learning Network, that also focused on the balance billing prohibition and the potential for sanctions against providers who do not comply.

Both the bulletin and the notice also discuss ways to simplify the processing of provider claims through Medicaid payment systems.

The bulletin suggests best practices for states that can ease Medicaid billing for providers. Because barriers to billing Medicaid agencies may affect the willingness of providers to serve QMB clients, advocates may want to urge their state Medicaid agencies to improve current processing protocols in line with CMS proposals.

Advocates can use the notice to educate physicians and others who may try to balance bill their clients.

Problems with balance billings are among several issues highlighted in an issue brief, "[Improving the Qualified Medicare Benefit Program for Dual Eligibles](#)," recently published by NSCLC. The brief argues that the QMB program does not currently fulfill its promise to give low income Medicare beneficiaries full access to their Medicare benefit. It proposes a number of improvements and also examines options for a broader redesign of the program.

If you have questions about the bulletin or notice, please contact Georgia Burke at gburke@nsclc.org.

The National Senior Citizens Law Center is a non-profit organization whose principal mission is to protect the rights of low-income older adults. Through advocacy, litigation, and the education and counseling of local advocates, we seek to ensure the health and economic security of those with limited income and resources, and access to the courts for all. For more information, visit our Web site at www.NSCLC.org.