

ALERT

Section 111 Bulletin: CMS Releases Revised NGHP User Guide

September 1, 2011

The Centers for Medicare & Medicaid Services (CMS) has released version 3.2 of the "MMSEA Section 111 Mandatory Reporting Liability Insurance (Including Self-Insurance), No-Fault Insurance, and Workers' Compensation User Guide" (User Guide). Although the revised User Guide is dated August 17, 2011, CMS did not post it to the CMS website until September 1, 2011. The release of the User Guide follows closely behind the American Insurance Association's recent request that Department of Health and Human Services Secretary Kathleen Sebelius again delay the implementation date of some Section 111 reporting due to the agency's failure to issue guidance on a number of critical open issues, such as the reporting of mass tort settlements involving pre-December 5, 1980 exposure to an environmental hazard.

Based on comments made by CMS during recent Section 111 Town Hall teleconferences, the revised User Guide is expected primarily to incorporate discrete, single-issue, agency guidance issued over the past year through a number of CMS Alerts. Wiley Rein has previously analyzed these Alerts in its Section 111 Bulletins, which you can read by clicking [here](#). In the near future, Wiley Rein will post a Section 111 Bulletin that reports on the more significant additions to the updated User Guide.

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