



Department of Medicaid

John R. Kasich, Governor
Barbara R. Sears, Director

To: Ohio Medicaid Managed Care Plans
Ohio Medicaid MyCare Ohio Plans

From: Roxanne Richardson, Section Chief
Policy and Program Development Section, Office of Managed Care

Date: November 20, 2018

Subject: Third Party Liability Requirements Related to Recovery Timeframes

Beginning July 1, 2019, Medicaid managed care plans (MCPs) and MyCare Ohio plans (MCOPs) shall adhere to the timeframes specified in Ohio Administrative Code (OAC) rule 5160-26-09.1 related to recovery of third-party resources. Per OAC rule 5160-26-09.1, the Ohio Department of Medicaid (ODM) reserves the right to identify, pursue, and retain any recovery of third-party resources assigned to an MCP or MCOP but not collected by the MCP or MCOP after one year from date of payment of the paid claim.

Until July 1, 2019, MCPs and MCOPs may follow the timeframes previously listed in the provider agreement of 18 months for recovery of third-party resources. ODM will not start exercising its right to recovery using the one-year timeframe until July 1, 2019.