

191—37.22(514D) Standards for claims payment.

37.22(1) *Compliance with OBRA.* An issuer shall comply with Section 1882(c)(3) of the Social Security Act (as enacted by Section 4081(b)(2)(C) of the Omnibus Budget Reconciliation Act of 1987 (OBRA) 1987, Pub. L. No. 100-203) by:

- a.* Accepting a notice from an issuer on dually assigned claims submitted by participating providers and suppliers as a claim for benefits in place of any other claim form otherwise required and making a payment determination on the basis of the information contained in that notice;
- b.* Notifying the participating provider or supplier and the beneficiary of the payment determination;
- c.* Paying the participating provider or supplier directly;
- d.* Furnishing, at the time of enrollment, each covered individual with a card listing the policy name, number and a central mailing address to which notices from an issuer may be sent;
- e.* Paying user fees for claim notices that are transmitted electronically or otherwise; and
- f.* Providing to the Secretary, at least annually, the issuer's central mailing address to which all claims may be sent by other issuers.

37.22(2) *Certification of compliance with OBRA.* Compliance with the requirements set forth in 37.22(1) shall be certified on the Medicare supplement insurance experience reporting form.

[ARC 4394C, IAB 4/10/19, effective 5/15/19]