



## PROVIDER ALERT

### Further Details Regarding Requirements for Claims with Third-Party Liability

December 21, 2023

#### Target Audience: All Behavioral Health Providers

In a December 1, 2023 [provider alert](#), Optum Maryland communicated that effective January 1, 2024, requirements for claims with third-party liability (TPL), outlined in COMAR 10.09.83, will be reinstated.

#### Notification to the Provider:

When TPL information is received/identified after a claim was processed, Optum will evaluate the claim to determine if the primary coverage is liable.

- If the primary carrier should have paid the claim then Optum will send notice to the provider on a payment remittance advice (PRA):
- Optum will reprocess the claim to an “approved” status and the payment remittance advice (PRA) and 835 file will show the following codes:
  - Incedo code “430” - *Contract amount, TPL 75-day clock*
  - CARC code “22” - *This care may be covered by another payer per coordination of benefits*
  - RARC code “N23” - *Patient liability may be affected due to coordination of benefits with other carriers and/or maximum benefit provisions*

CARC code 22 and RARC code N23 are specific to this scenario and denote the start of the 75-day clock (detailed further below).

These explanation codes will be shown on the individual claim line of the PRA, with a description of the codes at the end of the PRA, as shown below.

Serv	Services Dates	Service Code	Mod Code	Units	Charged	Fee Schedule Amt	Allowed Denied	Other Ins	RSA	Payment	Explain Codes
100	12/01/2023 - 12/01/2023	H0032		1	\$110.00	\$0.00	\$0.00 \$110.00	\$0.00	\$0.00	\$0.00	CO22 430 N23
<b>Subtotal:</b>					\$110.00	\$0.00	\$0.00 \$110.00	\$0.00	\$0.00	\$0.00	

Explanation Code	Description
430	Contract Amount, TPL 75 Day Clock
CO22	This care may be covered by another payer per coordination of benefits
N23	Patient liability may be affected due to coordination of benefits with other carriers and/or maximum benefit provisions

There is no financial impact to the claim at this time. The claim will remain in the approved status with the original payment amount.

**Provider Action:**

The date of this PRA notification will start the 75 calendar-day period in which the provider should submit the claim to the third-party payer.

Once the TPL payment or denial is received, the provider should submit a corrected claim with primary payer remittance to Optum for secondary payer/coordination of benefits claim processing.

If the provider does not submit a corrected claim with primary payer remittance to Optum within 75 days of the notice, Optum will reprocess the claim to retract payment and deny the claim for lacking coordination of benefits with the third-party liability insurance(s). These denials will appear on the PRA with the following codes:

- Incedo code "14" - *Service Payable by other Primary Carrier*
- CARC code "44" - *Please submit Primary Carrier's EOB for service*
- CARC code "330" - *Service not payable for Dual Eligible Participants*

If the provider believes that a TPL record is incorrect, to avoid the claim being denied after the 75-day period, they should still submit the claim to the third-party payer. If the record is truly incorrect, they will receive a denial which can then be submitted to Optum.

If the provider believes a TPL record is incorrect in Incedo, they should report it to Optum Maryland customer service at 1-800-888-1965 for review. The customer service process for TPL-related issues is detailed in [this flowchart](#).

If you have questions about the information contained in this alert, please contact Optum Maryland customer service at 1-800-888-1965.

Thank you,

Optum Maryland Team