

Medicare notice and recoveries

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Introduction

Services Australia administers and manages the notification requirements of the *Health and Other Services (Compensation) Act 1995* (HOSC Act), which operates to ensure that the Commonwealth recovers any Medicare benefits paid to an employee where an insurer is liable for the injury or illness.

The purpose of the HOSC Act is to prevent 'double-dipping' from occurring where an employee claims medical benefits via Medicare for an injury for which they are subsequently compensated.

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What are the scenarios when the HOSC Act applies?

The HOSC Act applies to the following Comcare scenarios:

- Where a claim for Permanent Impairment (PI) is accepted (excluding interim PI payments) of \$5,000 or more, whether that decision is an outcome of a primary determination, reviewable decision or AAT/Court decision. These are judgments or in the case of an AAT consent decision, settlements. For further guidance and information to support you through the PI and HOSC Act process, refer to the [Accepting a PI and the HOSC Act flowchart](#).
- Where a claim is accepted under section 14 of the SRC Act **6 months after the date the claim was lodged**, where there will be medical expenses (section 16), whether that decision is an outcome of a primary determination, reviewable decision or AAT/Court decision. The amount of any potential medical payments does not matter. This is a reimbursement arrangement.
- Where medical expenses (section 16) have ceased and later **reinstated 6 months or more after the date of determination** to cease medical treatment was made, whether that decision is an outcome of a reviewable decision or AAT/Court decision. This is also a reimbursement arrangement.

These matters above are notifiable within 28 days after the judgment/settlement or reimbursement arrangement has been made, noting that there are specific arrangements we have in place in relation to permanent impairment. For further guidance and the steps to follow see the **Procedure for notifying Medicare of a judgement of settlement** section below.

Comcare is required to notify Medicare by using the [Notice of Judgment or Settlement \(NOJS\)](#) form or the [Notice of Reimbursement Arrangement \(NORA\)](#) form (whichever is applicable) available on the [Services Australia website](#).

Comcare cannot pay compensation until Medicare bill is paid

Comcare is unable to pay an employee any part of the compensation payment (being the PI/NEL payment in the case of a judgment or settlement or any medical treatment compensation in the case of a reimbursement arrangement) until Medicare is paid the amount owed (*note: this may be nil*).

Section 26(1) of the SRC Act provides that an amount of compensation payable to an employee under section 24 (for PI) shall be paid to the employee within 30 days after the date of the assessment amount. However, under section 30 of the HOSC Act, liability to pay compensation is suspended until such time as any amount owed to Medicare is paid.

Comcare's liability to pay an employee interest under section 26 for a late payment of PI is also suspended.

Obtaining a Medicare History Statement and Notice of Past Benefits

Comcare lodges a request to Medicare to issue a Medicare History Statement to the employee by using the Medicare History Statement Request form.

Medicare will issue the History Statement directly to the employee to be completed and returned to Medicare. The employee is required to indicate which benefits in the statement relate to their compensable condition. Once the employee returns the completed History Statement, Medicare then issues a Notice of Past Benefits (NOPB) to Comcare.

The NOPB lists the services the employee has received (if any) in relation to the compensable injury. If no services related to the compensable injury, Medicare will issue Comcare with a NOPB with a nil amount.

If a judgment/settlement or reimbursement arrangement occurs within 6 months of the NOPB being issued it will become a 'Notice of Charge' (NOC).

If a NOPB becomes a NOC Comcare must pay Medicare the amount specified in the NOC within 28 days of the date of judgment/settlement or reimbursement arrangement. The amount specified in the NOC is paid to Medicare and the remainder of the compensation amount is paid to the employee.

A NOPB is only valid for 6 months. If the NOPB has expired and a judgment/settlement has occurred, then Comcare may make an advance payment (see **Advance payments for judgements or settlements** section below) rather than requesting a new History Statement/NOPB.

For PI matters, as soon as a PI claim is received the notification process commences by Comcare contacting the employee to discuss the process (refer to the [Assessing and determining a PI claim](#) page) and lodging a Medicare History Statement Request form to Medicare.

For section 14 primary determinations or disputed claim matters (where there will be section 16 medical expenses) the notification process commences once a claim is accepted more than 6 months after it was lodged (refer to the **Procedure for notifying Medicare of a reimbursement arrangement** section below). For section 14 AAT matters (where there will be section 16 medical expenses), the notification process should commence once the AAT matter is registered by Comcare.

For section 16 determinations (i.e. reviewable or AAT/Court decisions) the notification process commences after a cease determination has been reinstated 6 months or more after the date of determination to cease medical treatment was made (refer to the **Procedure for notifying Medicare of a reimbursement arrangement** section below).

Deemed notice of past benefits or notice of charge

Where the employee fails to complete or return the History Statement to Medicare within the required time, Medicare will issue a 'deemed' NOPB or NOC to Comcare which deems all the services listed in the History Statement as relating to the compensable injury.

- Under the HOSC Act, Comcare is required to pay the full amount of the deemed NOPB or NOC to Medicare. The amount payable by Comcare to Medicare cannot be more than the amount of compensation awarded (being the PI/NEL entitlement in the case of a judgment/settlement).
- In the case of a reimbursement arrangement, the medical treatment payable from the date of injury/date of treatment reinstatement, to the date of the deemed notice).

The amount paid to Medicare is then deducted from the compensation payable to the employee. Subsection 31(1) of the HOSC Act provides that our payment of the NOC to Medicare operates as a discharge of our liability to pay the employee that amount of compensation. That is, once an amount of compensation is paid to Medicare it discharges our liability to pay that amount to the employee.

A deemed NOPB or NOC is treated the same as a NOPB. However, Medicare cannot be requested to amend a deemed NOPB or NOC. An employee has two years from the date of the judgment/settlement or reimbursement arrangement to complete a Medicare History Statement confirming which services relate to the compensable condition. If the employee has not claimed any services, they should still complete a History Statement with a Section 23A Statement (statutory declaration) and send the forms to Medicare. Medicare will assess the matter further, issue Comcare with an amended NOPB or NOC and reimburse Comcare any overpaid amount (if applicable).

Receiving a refund from Medicare

Refunds from Medicare are deposited into Comcare's bank account and the Finance team will identify the deposit as being claims related.

The Finance team advises the Reconciliations team in CAIS of any claim related deposits. The Reconciliations team then allocate this recovery of the funds against the appropriate claim in Pracsys.

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Expired notice of past benefits

If a judgment/settlement is made after the NOPB has expired or where a NOPB has not been issued, then Comcare will complete the NOJS form. If the employee claimed any benefits through Medicare, they may wish to make a Section 23A Statement. If the employee does not make a Section 23A statement, then Comcare will likely proceed to make an advance payment to Medicare.

Where a reimbursement arrangement is made after the NOPB has expired or where no NOPB has been issued, Comcare will complete the NORA form and send it to Medicare. Medicare will then ask the employee to complete a History Statement and will then issue a NOPB or NOC to Comcare.

Comcare cannot release the compensation payment to the employee until either an advance payment is made to Medicare or a NOC is paid to Medicare (refer to **Advance payments for judgements or settlements** section below).

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Section 23A statement

In the case of judgment/settlement, the HOSC Act provides that the employee may make a [Section 23A Statement](#) where a NOPB has not been issued by Medicare within the previous 6 months.

In making a Section 23A Statement the employee is declaring that:

- no Medicare benefits have been received for the compensable condition, or
- no further Medicare benefits have been received in relation to their compensable condition since the expired NOPB was issued.

A Section 23A Statement must be sent to Medicare with the NOJS form.

If a Section 23A Statement is lodged, Medicare will issue Comcare a NOPB or NOC within 28 days, however Comcare does not need to wait for the NOPB or NOC to be issued. Comcare can proceed with paying the employee the compensation payment as soon as the Section 23A Statement has been lodged with Medicare.

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Refunding Medicare and releasing compensation payments

For PI/NEL, Comcare is required to **deduct the amount payable to Medicare from the employee's compensation payment**. The compensation payment is limited to the amount awarded, being the combined PI/NEL entitlement.

For claims accepted under section 14 of the SRC Act 6 months after the date the claim was lodged where there are medical expenses, the compensation payment is the medical treatment expenses payable **between the date of injury and the date of the NOPB or NOC.**

For claims where payment of medical expenses has been ceased and then reinstated 6 months or more after they were ceased, the compensation payment is the medical treatment expenses **between the date of the cease and the date of the NOPB or NOC.**

Refunding Medicare

Email [CAIS – FCS Complex](#) and advise the amount as specified in the NOC to be paid to Medicare.

Releasing compensation payments

The compensation amounts payable to the employee are paid as per normal payments processes.

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Procedure for notifying Medicare of a judgement or settlement

Medicare must be notified within 28 days **after** the judgment or settlement is made, however Comcare allows the employee 14 days to consider whether they wish to elect to sue the Commonwealth rather than receive the PI payment. Therefore, this procedure should not commence until that **14 day** period has expired. If the employee or their solicitor has given an undertaking that they will not be electing to sue, commence this procedure.

Step 1: Complete and send Notice of Judgement or Settle (NOJS) form to Medicare

Obtain and complete the [NOJS form](#). Information on completing the NOJS form is set out below.

Note: Question 41 of the form asks to advise of the total amount of compensation including all legal costs. Comcare is not to notify Services Australia on legal costs, only compensation costs.

Refer to **Medicare contact details** section below.

One of the following three actions will be applicable:

Action 1: If there is a valid Notice of Past Benefits (i.e a NOPB issued in the last 6 months) then this is now the Notice of Charge (NOC). Indicate on the NOJS form that there is a valid NOPB. **Proceed to step 2.**

Action 2: If the employee has made a Section 23A Statement ensure that you have indicated this on the NOJS form and send a copy to Medicare with the NOJS form. **Proceed to step 3.**

Action 3: If Comcare is making an advance payment ensure this is advised to Medicare in the NOJS form. **Important:** Question 52 of the NOJS form asks if you have notified the employee that you intend to make an advance payment and to attach a copy of the letter to the employee. Do not send Medicare a copy of the determination which notifies the employee that Comcare intends to make an advance payment, as the determination may contain sensitive information relating to the claim. Medicare has advised Comcare that it does not require a copy of this letter. Proceed to **Advance payments for a judgement or settlement** section.

For any of the above actions: Ensure any attachments as required by the NOJS form are sent with the completed form to Medicare.

Step 2: Review the Notice of Past Benefits or Notice of Charge

If the NOPB/NOC advises an amount is payable to Medicare, refer to the **Actioning a Notice of Past Benefits or Notice of Charge for a Judgment or Settlement** section below.

If the NOPB (now a NOC) indicates there is nil payment owing to Medicare, end this procedure and pay the employee the PI/NEL entitlement. Email [CAIS – FCS Complex](#) to arrange the PI payment and include the following information:

- the approved PI (section 24) payment amount
- the approved non-economic loss (section 27) payment amount, and

- details of who to make the payment to.

Where an employee has previously received compensation payments via Electronic Funds Transfer (EFT) and a request has not been made by the employee to make the PI amount payable to a third party, CAIS will process the payment as an EFT to the employee using the existing account details on the claim file.

Note: CAIS will enter the payment with a 'held' status which will generate an invoice diary. This is only accepted once the employee has notified Comcare that they are electing not to sue the Commonwealth (section 45).

Step 3: Releasing payments

Action 1: Releasing the PI/NEL payments

If the employee has made a Section 23A Statement declaring that no Medicare benefits have been received in relation to the compensable condition, there is no amount to pay to Medicare. Pay the employee the PI/NEL entitlement.

Email [CAIS – FCS Complex](#) to arrange the PI payment and include the following information:

- the approved PI (section 24) payment amount
- the approved non-economic loss (section 27) payment amount, and
- details of who to make the payment to.

Action 2: Paying Medicare

If the employee has made a Section 23A Statement declaring that no further Medicare benefits have been received in relation to the compensable condition since the expired NOPB was issued, pay Medicare the amount specified in the expired NOC.

In the same email to [CAIS – FCS Complex](#) advise of the below:

- Medicare reference number
- claim number
- employee name
- the full amount specified in the NOPB or NOC to be refunded to Medicare.

Medicare's payment is made to:

HIC reimbursement payment type

Provider Payee 15427271

Medicare Australia Comp Recovery Account

GPO Box 2436 Brisbane QLD

Important: The amount payable to Medicare must be deducted from the amount payable to the employee (e.g the PI entitlement is reduced by the amount payable to Medicare. If the amount payable to Medicare exceeds the PI entitlement then deduct the remaining amount from the NEL entitlement).

Step 4: Enter comment in Pracsys

Add a comment in Pracsys recording what actions you have taken in Pracsys as a comment using the Manage Claim Comment (MCOM) function.

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Actioning a Notice of Past Benefits or Notice of Charge for a Judgment or Settlement

Where a judgment or settlement has been made, and there is a valid Notice of Past Benefits (NOPB) this becomes a Notice of Charge (NOC). Comcare must pay Medicare the full amount specified in the notice within 28 days of the date of the judgment or settlement. Once the notice has been paid, the compensation payments (accepted Permanent Impairment and Non-Economic Loss) can be released to the employee.

Important: Where there is a valid NOPB/NOC at the time of judgment or settlement, Comcare should aim to pay Medicare and the employee as soon as practicable within judgment or settlement being made. However, Comcare allows the employee 14 days to consider whether they wish to elect to sue the Commonwealth rather than receive the PI payment. Therefore, this procedure should not commence until that 14 day period has expired. If the employee or their solicitor has given an undertaking that they will not be electing to sue, commence this procedure.

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Procedure for actioning a notice of past benefits or notice of charge for a judgement of settlement

Step 1: Review the NOPB or NOC

If the charge is nil, proceed to step 2.

If you have a deemed NOPB or NOC refer to **Actioning a Valid Deemed Notice of Past Benefits or Notice of Charge** section below.

If there is a charge, review whether the services listed appear to relate to the compensable condition (the employee has advised Medicare that these services relate to their compensable condition).

If the services appear to relate to the compensable condition, proceed to step 2.

If there are services listed that do not relate to the compensable condition, or services that have previously been rejected by Comcare under section 16 of the SRC Act, send an email to Medicare at [Human Services Compensation recovery](#) advising of this and request that an amended NOPB or NOC be issued.

Note: You cannot proceed to step 2 until Medicare has provided an amended notice or advised they will not provide an amended notice.

Step 2: Releasing the PI/NEL payments

Send an email to [CAIS – FCS Complex](#) include the following information:

- the PI payment amount
- the NEL payment amount
- details of who to make the payment to.

Note: Where an employee has previously received compensation payments via Electronic Funds Transfer (EFT) and a request has not been made by the employee to make the PI amount payable to a third party, CAIS will process the payment as an EFT to the employee using the existing account details on the claim file.

Step 3: Phone the employee

Advise the employee that you have arranged for Medicare to be paid the amount specified in the NOPB or NOC (if anything) and you have authorised the compensation payments to be released.

Step 4: Enter comment in Pracsys

Add a comment in Pracsys recording what actions you have taken in Pracsys as a comment using the Manage Claim Comment (MCOM) function.

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Advance payments for judgements or settlements

Advance payments are only relevant to PI determinations, and not section 14 matters.

When Comcare makes a decision to accept a PI, Comcare may arrange to pay Medicare an advance payment of 10% of the amount of compensation payable to the employee if:

- a NOPB has not been issued by Medicare in the 6 months prior to the date the judgment or settlement was made (see below further information regarding NOPB), and
- the compensation payable to the employee under the judgment/settlement is more than \$5000.

Comcare must have advised Medicare (in the NOJS form) that we intend to make an advance payment. Comcare must also have advised the employee, in writing, that we intend to make an advance payment (see below for further information on advising the employee).

Medicare must receive the advance payment within 28 days of the judgment or settlement. However, Comcare allows an employee 14 days to consider whether they wish to elect to sue the Commonwealth rather than receive the PI payment. Therefore, this procedure should not commence until that 14 day period has expired. If the employee or their solicitor has given an undertaking that they will not be electing to sue, commence this procedure.

Where an advance payment is made, Comcare's liability to Medicare is discharged and the balance of 90% can be paid to the employee.

When Medicare receives the advance payment, it will issue a Medicare history statement to the employee to complete and return within 28 days to enable Medicare to work out any amount owing. If the advance payment does not cover the amount owing to Medicare, the employee is required to pay Medicare the difference. If the advance payment is more than the amount owing to Medicare, then Medicare will pay the difference directly to the employee. The employee will need to contact Medicare concerning any refunds owed to them.

Where there is a valid NOPB at the date of judgment/settlement OR where the employee has made a Section 23A Statement, an advance payment is not applicable.

Advance payments cannot be made for reimbursement arrangements.

Notice to employee of intention to make advance payment

If Comcare intends to make an advance payment we must notify the employee of the following in writing:

- that Comcare may make an advance payment if a judgment/settlement is reached
- that prior to making an advance payment we will advise the employee of the amount of the advance payment
- the circumstances in which Medicare can retain some or all of the advance payment (i.e. once Medicare has issued a NOPB any amount owed to them will be retained by Medicare)
- the circumstances in which the employee will be required to make an additional payment to Medicare (i.e. if the advance payment does not cover the amount owing to Medicare, the employee is required to pay Medicare the additional amount).

Once a judgment or settlement is reached (e.g. a PI/NEL entitlement has been determined), if Comcare intends to make an advance payment then we must advise the employee of the above prior to making the payment.

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Procedure for arranging an advance payment for a judgement of settlement

Step 1: Have you completed the Notification to Medicare of a judgement or settlement procedure?

If yes, proceed, else go to the **Procedure for notifying Medicare of a judgement of settlement** section above.

Step 2: Arrange the payments

Note: Use the [Advance Payment Calculator](#) to work out the payments to Medicare and the employee.

10% to Medicare

Email [CAIS – FCS Complex](#) and advise of the:

- Medicare reference number, claim number, employee name
- 10% of the total s24 PI amount, and
- 10% of the total s27 NEL amount of the total amount of the entitlement determined under section 24 and section 27.

Also advise to pay Medicare's payment to:

HIC reimbursement payment type

Provider Payee 15427271

Medicare Australia Comp Recovery Account

GPO Box 2436 Brisbane QLD

90% to the employee

In the same email to CAIS include the following information:

- 90% of the total s24 PI amount
- 90% of the total s27 NEL amount, and
- details of who to make the payment to.

Step 3: Phone the employee

Advise the employee that you have arranged for the above payments to be made and if the advance payment was more than the amount owed to Medicare, Medicare will refund them the difference. The employee will need to contact Medicare concerning any refunds owed to them.

Step 4: Enter comment in Pracsys

Add a comment in Pracsys, using the Manage Claim Comment (MCOM) function, recording your conversation with the employee notifying them that you have arranged an advance payment, including the amounts payable to Medicare and the employee.

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Procedure for notifying Medicare of a reimbursement arrangement

Medicare must be notified within 28 days after the reimbursement arrangement is made, however Comcare will commence this notification process as soon as practicable.

Step 1: Complete and send Notice of Reimbursement Arrangement (NORA) form to Medicare

Click on [NORA form](#) to obtain a copy of the form.

Complete and send to Medicare. Refer to **Medicare contact details** section below.

Step 2: Phone the employee

Advise the employee of the following:

- Under the requirements of the HOSC Act, Comcare needs to inform Medicare when a claim is accepted under section 14 of the SRC Act 6 months or more after the date the claim was lodged OR a section 16 decision where medical expenses were ceased and then reinstated
- Comcare needs to inform Medicare of any accepted claims, even if the employee has not claimed any treatments related to the injury from Medicare.

Obtaining a Medicare History Statement and Notice of Past Benefits

- Advise the employee that you lodged the NORA form to Medicare.
- Once the NORA is received Medicare will issue a History Statement to the employee to be completed and returned to Medicare. The employee is required to indicate which benefits in the statement relate to their compensable condition, if any. Once the employee returns the completed History Statement to Medicare, Medicare then issues a Notice of Past Benefits (NOPB) to Comcare.
- Comcare will not pay any medical expenses until the employee completes the history statement and returns it to Medicare.

To avoid delays in payment

- Respond promptly to any requests for information that the employee may receive from Medicare or Comcare.

Step 3: Send letter to the employee

Use template 'Medicare Notification for a Reimbursement Arrangement' in Pracsys.

Step 4: Create and action plan diary

Create an action plan diary to follow up with the employee and Medicare whether a History Statement has been issued to the employee and enter the due date for the reminder (14 calendar days).

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Actioning a notice of past benefits or notice of charge for a reimbursement arrangement

Where a reimbursement arrangement has been made, and there is a valid Notice of Past Benefits (NOPB) this becomes a Notice of Charge (NOC). Comcare must pay Medicare the full amount specified in the notice within 28 days of the date of the reimbursement arrangement being made. Once the notice has been paid, the compensation payments (accepted medical treatment expenses) can be released to the employee.

Where there is a valid NOPB/NOC at the time a reimbursement arrangement is made, Comcare should aim to pay Medicare and the employee as soon as practicable within the reimbursement arrangement being made.

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Procedure for actioning a NOPB or NOC for a reimbursement arrangement

Step 1: Review the NOPB or NOC

If the charge is nil, proceed to step 2.

If there is a charge, review whether the services listed appear to relate to the compensable condition (the employee has advised Medicare that these services relate to their compensable condition).

If the services appear to relate to the compensable condition, proceed to step 2.

If there are services listed that do not appear to relate to the compensable condition, or services that have previously been rejected by Comcare under section 16 of the SRC Act, send an email to [Medicare](#) and request that an amended NOPB or NOC be issued.

You cannot proceed to step 2 until Medicare has provided an amended notice or advised they will not provide an amended notice.

Remember to send a copy of your email to [Medicare](#) and to [RMC Comcare](#) and request that your email be scanned against the employee's claim file.

Step 2: Releasing payments

Action 1: Paying Medicare (if there is nil charge, proceed to Action 2)

Email [CAIS – FCS Complex](#) and advise of the below:

- Medicare reference number
- claim number
- employee name
- the full amount specified in the deemed NOPB or NOC to be paid to Medicare
- to pay Medicare's payment to:

HIC reimbursement payment type

Provider Payee 15427271

Medicare Australia Comp Recovery Account

GPO Box 2436 Brisbane QLD

Action 2: Releasing the medical treatment payments

Verify any treatment invoices/receipts in Pracsys that are payable to the employee or a service provider.

Ensure that there is no duplication of payment to the employee/service provider for the same amounts paid to Medicare.

Step 3: Phone the employee

Advise the employee that you have arranged for Medicare to be paid the amount specified in the NOPB or NOC (if anything) and you have authorised the compensation payments to be released.

Step 4: Enter comment in Pracsys

Add a comment in Pracsys, using the Manage Claim Comment (MCOM) function, recording what action has been taken and your conversation with the employee.

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Actioning a valid deemed notice of past benefits or notice of charge

Where the employee fails to complete or return the History Statement to Medicare within the required time, Medicare will issue a 'deemed' Notice of Past Benefits (NOPB) or Notice of Charge to Comcare which deems all the services listed in the History Statement as relating to the compensable injury.

This deemed notice is valid for 6 months. If this notice is valid when the judgment, settlement or reimbursement arrangement is made, this is the amount Comcare must pay to Medicare within 28 days.

Procedure for actioning a valid deemed NOPB or NOC

Step 1: Phone the employee

Click on [NORA form](#) to obtain a copy of the form.

Complete and send to Medicare. Refer to **Medicare contact details** section below.

Advise the employee of the following:

- Comcare has received a deemed NOPB or NOC from Medicare and that Comcare is required to pay Medicare the total amount specified in the notice:
 - once the employee completes and returns the History Statement to Medicare confirming which services relate to the compensable condition, Medicare will assess the matter further, issue Comcare with an amended NOPB or NOC and reimburse Comcare any overpaid amount. If an amount had been deducted from a compensation amount payable to the employee, then Comcare will pay the employee the amount reimbursed by Medicare.
- for a **Permanent Impairment (PI)/Non Economic Loss (NEL)** entitlement the total amount specified in the notice will be deducted from the PI/NEL entitlement. **Continue to step 2; OR**
- for a **section 14 decision (where there are section 16 medical expenses)** or a **section 16 decision where medical expenses were ceased and then reinstated**, Comcare will not pay any medical expenses until the employee completes the History Statement and returns it to Medicare. **Continue to step 3.**

Step 2: Releasing payments

Action 1: Paying Medicare

Email CAIS – FCS Complex and advise of the below:

- Medicare reference number
- claim number
- employee name
- the full amount specified in the deemed NOPB or NOC to be paid to Medicare

Note: The amount payable to Medicare cannot be more than the amount of the PI/NEL awarded.

- If the deemed NOPB or NOC is more than the PI/NEL awarded, advise CAIS to pay Medicare only the amount of the PI/NEL awarded.

Example: Deemed NOPB or NOC is \$50,000 and the PI/NEL amount awarded is \$30,000, authorise CAIS to pay \$30,000 only to Medicare.

In the same email to CAIS, advise to pay Medicare's payment to:

HIC reimbursement payment type

Provider Payee 15427271

Medicare Australia Comp Recovery Account

GPO Box 2436 Brisbane QLD

Action 2: Paying the employee (if applicable)

If the deemed NOPB or NOC is less than the amount of PI/NEL awarded, in the same email to the CAIS advise to pay the employee the difference.

Example: Deemed NOPB or NOC is \$20,000 and the PI/NEL amount awarded is \$30,000, authorise CAIS to pay the employee \$10,000.

Step 3: Enter comments in Pracsys

Add a comment in Pracsys, using the Manage Claim Comment (MCOM) function, recording what action has been taken and your conversation with the employee.

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Procedure for actioning a refund from Medicare

Where the employee fails to complete or return the History Statement to Medicare within the required time, Medicare will issue a 'deemed' Notice of Past Benefits (NOPB) or Notice of Charge to Comcare which deems all the services listed in the History Statement as relating to the compensable injury.

Although Comcare only has 28 days to pay a deemed notice, the employee has two years from the date of the judgment/settlement or reimbursement arrangement to complete a Medicare History Statement confirming which services actually relate to the compensable condition.

If the employee completes the History Statement, Medicare will assess the matter further, issue Comcare with an amended NOPB or NOC and reimburse Comcare any overpaid amount (if applicable).

The refund from Medicare is deposited into Comcare's bank account and the Finance team will identify the deposit as being claims related.

The Finance team advises the Reconciliations team in CAIS of any claim related deposits. The Reconciliations team then allocate this recovery of funds against the appropriate claim in Pracsys.

The Claims Manager will receive the amended NOPB/NOC as a notification on the claim file.

Step 1: Review the amended NOPB or NOC

Review whether the services listed appear to relate to the compensable condition (the employee has advised Medicare that these services relate to their compensable condition).

If the services appear to relate to the compensable condition, proceed to step 2.

If there are services listed that do not appear to relate to the compensable condition, or services that have previously been rejected by Comcare under section 16 of the SRC Act, send an email to [Medicare](#) advising of this and request that an amended NOPB or NOC be issued.

Step 2: Confirm the reimbursement from Medicare has been received

Email [CAIS - Reconciliations](#):

- advise of the Medicare reference number, claim number, employee name, and
- confirm if a reimbursement amount has been received from Medicare and offset against the relevant claim.

Step 3: Paying the employee

For PI/NEL matters, the amount paid to Medicare will have been deducted from the employee's PI/NEL entitlement.

For PI/NEL matters - if CAIS - Reconciliations confirm that a reimbursement amount has been received, advise CAIS - Reconciliations to pay the employee that amount.

Phone the employee to advise of the reimbursement.

If CAIS - Reconciliations advise that a reimbursement amount has not been received from Medicare, email [Human Services Compensation recovery](#) and advise:

- of the Medicare reference number,
- claim number,
- employee name,
- that you have received an amended NOPB or NOC, however have not received a reimbursement.

Follow up with the Reconciliations team in 14 days to check whether the reimbursement has been received.

For **section 14/16 matters**, you can now proceed to reimburse any medical treatment expenses that are payable to the employee. The reimbursement amount received from Medicare is NOT payable to the employee.

Step 4: Enter comment in Pracsys

Add a comment in Pracsys, using the Manage Claim Comment (MCOM) function, recording what action has been taken and your conversation with the employee.

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Medicare contact details

All queries and forms are to be sent to [Human Services Compensation recovery](#).

If Medicare does not respond to queries in a timely manner or complete its actions within the stipulated timeframes, send an email to [Human Services](#) to follow up on your query/Medicare action.

Remember to send a copy of your email to Medicare to [RMC Comcare](#) and request that your email be scanned against the employee's claim file.

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