

January 30, 2002

Dear Payor:

Re: Monthly Public Goods Pool Reporting Forms - Payors

IMPORTANT NOTE TO PAYORS!!!

This notice is being sent to you because your organization is a payor of health care services and has filed an election application to pay certain health care services surcharges directly to the HCRA Public Goods Pools. If you use a third party administrator (TPA) for claims processing, we suggest that you contact your TPA directly concerning any questions you may have regarding this notice.

If, within the past year, you are no longer a payor of medical claims (i.e., no longer self-insured) or have switched from/to utilizing a TPA, please complete the enclosed Attachment #2.5. If, within the past year, you have switched TPAs, please complete the enclosed Attachment #2.6.

Enclosed please find reporting forms and instructions for electing payors to use when calculating and remitting **monthly** payments to the Public Goods Pools. ***The reporting forms must be filed monthly, even if there is no activity to report.*** Please refer to the appropriate Schedule of Report and Payment Due Dates for information concerning the specific forms payors must submit each month. Since payors cannot determine their monthly Public Goods Pool liability until sometime following the last day of the respective reporting month, all monthly reports submitted prior to the end of the respective reporting month will be returned.

If you were previously advised by the Department that your organization meets the criteria for filing an **annual** Public Goods Pool report and payment for a specific report year and you did not timely submit the supplied form to the Pool Administrator to change your filing designation from annual to monthly, you must file an **annual** Public Goods Pool report and payment for the aforementioned period. ***Annual filers may not use the enclosed monthly report forms to fulfill their annual reporting obligation. Annual filers must complete the annual Public Goods Pool reporting forms which are available under separate cover.***

If you are a payor represented by a TPA, be advised that we are forwarding all revised reporting forms and instructions, and all other correspondence relating to your Public Goods Pools payment and reporting obligations, to you as well as your TPA. The primary responsibility of insuring that the monthly reporting forms are timely filed rests with the electing payor. If reports are not filed, or not timely filed, any penalties and interest would be imposed on the electing payor. If you have an agreement with a TPA whereby the TPA is preparing and/or submitting reporting forms on your behalf, it is your responsibility to insure that your TPA files all appropriate monthly report forms in compliance with the instructions in this transmittal.

Reports must be completed and submitted in accordance with the enclosed instructions. If, upon review, a report is deemed unacceptable, the report may be returned and a delinquency notice issued. Repeated late payments, failure to remit correct amounts, or to provide adequate certification of the accuracy of surcharge payments can result in the revocation of an electing payor's direct pay status potentially subjecting the payor to higher surcharges. Additionally, untimely filing of reports and payments can result in the imposition of interest and penalties determined in accordance with the provisions of Section 2807-j(8) of the Public Health Law (PHL). Furthermore, PHL Section 2807-j(7)(c) authorizes the Commissioner to assess civil penalties for certain reporting delinquencies.

If you use a TPA, we suggest that you contact your TPA directly concerning any questions you may have regarding this notice. Others having questions regarding the foregoing, or the enclosed forms, should contact a HCRA representative at (518) 474-1673.

Sincerely,

Mark H. Van Guysling
Assistant Director
Division of Health Care Financing

Enclosures