SENIOR & LONG TERM CARE DIVISION
COMMUNITY SERVICES BUREAU
Home Health Policy Manual

Title: **Home Health Policy 304**
Section: **GENERAL PROGRAM ADMINISTRATION**
Subject: **Third Party Liability (TPL)**
Reference: **ARM 37.85.407**
Supersedes: **Policy 304, Issued 11/01/2001**

REQUIREMENTS

According to state and federal law, the State must take all reasonable measures to determine the legal liability of third parties to pay for health care and services covered by Medicaid.

The Medicaid Program is the payer of last resort to other insurance programs. Medicaid does pay before Crime Victim Compensation Funds, Indian Health Services, and Disaster Relief Funds or other designated approved program.

If a third party source is known to the provider, the provider must bill the third party before billing Medicaid and indicate the amount received from the third party on the Medicaid claim. Providers must submit a copy of the statement of payment or denial from the resource when billing any balance.

Examples of third party resources include:

1. Medicare;
2. Veteran's Administration Medical Payment;
3. Private Insurance;
4. TRICARE and TRICARE for Life (formerly Civilian Health and Medical Program of the Uniformed Services-CHAMPUS); and
5. Worker's Compensation.

Refer to Administrative Rules of Montana at 37.85.407 for more information on Third Party Liability.