

Notice to Personal Representative of Deceased Health Care Provider

The MCARE Fund is required to refund a portion of the assessments paid for certain years as a result of a settlement entered into by the Commonwealth of Pennsylvania and the Pennsylvania Medical Society, the Hospital and Health System of Pennsylvania, and the Pennsylvania Podiatric Medical Association.

Refunds are due for assessments paid for 2009, 2010, 2011, 2012, and 2014 (but not 2013).

Mcare will provide eligible health care providers with the exact amount of their refund(s) in a notice, which lists each of their lines of coverage for the covered years and the amount of each refund. This notice is scheduled to be sent through the mail to health care providers in the fall of 2015.

The refund for a line of coverage will be paid to the assessed health care provider, except in two situations that may apply when the assessment was paid by another person or entity, such as a medical practice, hospital, or health system that employed the provider.

- **Claimed refund process** – A person or entity that paid the assessment may “claim” the refund. If a claim is made by the deadline (September 18, 2015), the provider’s refund notice will identify the claimant and the provider will be required to choose on a website who Mcare should pay.

The health care provider will be paid if he/she chooses "pay me." The claimant will be paid if the provider chooses "pay claimant." The claimant also will be paid by default if the provider makes no choice on the website by the deadline or the provider’s refund notice is undeliverable.

- **Assignment process** – A health care provider also can assign an unclaimed refund to a person or entity that paid the assessment. Providers seeking to assign a refund should contact the assessment payor to begin the assignment process.

Both the physician and assessment payor must complete paperwork for an effective assignment, and the assessment payor must report assignments to Mcare by the assignment deadline (45 days after first refund notice).

Personal representatives of deceased health care providers may apply to receive the refund notice for the provider, to make decisions for the health care provider regarding claims and assignments, and to have refunds payable to the provider paid to the provider’s estate.

As in the case of a health care provider, an approved personal representative can control who Mcare pays the refund for the provider’s coverage.

However, the settlement does not create or alter any legal responsibility that a health care provider may have, outside of the Settlement Agreement, to forward a refund payment to a person or entity that paid the assessment.

Personal representatives may wish to check with their legal advisors and/or accountants as to whether they should consent to payment of a claimed refund to a claimant or make an assignment of an unclaimed refund.

Additional information about the Settlement, including the assignment and claim processes, is available on the Mcare Fund website at www.insurance.pa.gov.