



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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Governor

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Commissioner

MEMORANDUM

March 4, 2008

To: All Judges and Attorneys

From: Peter J. Calderone, Director and Chief Judge 

Subject: MCARE cases

Attached is the most recent listing of MCARE cases. Generally, a case is marked MCARE if the case is settled but still open pending the completion of Medicare review(s). As indicated, the number of MCARE cases has been significantly reduced from the January 2007 level. The Division's website has extensive information on the process that must be completed when the petitioner is Medicare entitled.

The procedures for Medicare approvals when required should be started as soon as possible and carrier responsibility for medical treatment should be resolved when there is a dispute rather than allowing Medicare costs to continue. Additionally, many national insurance carriers have contracts with Medicare specialists who can often complete the Medicare approvals in an expeditious manner on agreement of the parties which can include a sharing of costs. At the initial conference the Medicare status of the petitioner should be determined and the use of specialists considered.

We are also aware that Medicare will generally accept workers' compensation judgements, dismissals and amendments to claim petitions where on the record there was judicial involvement and information that Medicare's interest was considered in such matters. Trials on all or part of a claim and/or bifurcation of certain issues can often resolve Medicare related concerns. Also, suggested language is available for moving Orders Approving Settlement (Section 22) and Judgments with a right of reopening after Medicare reviews are completed.

Since there has been little action on amending or modifying the federal Medicare Secondary Payer Statute, cases involving Medicare entitled petitioners must follow the current Medicare procedures which are required nationally to all workers' compensation cases. We continue to track MCARE cases and we will assist as much as possible to resolve Medicare related issues.

Attachment

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AD-18.14 (R 01-06)

MCARE Cases by District Office

3/3/2008

<u>District Office</u>	<u>1/29/2007</u>	<u>1/2/2008</u>	<u>2/5/2008</u>	<u>3/3/2008</u>
Atlantic City	97	64	53	54
Bridgeton	61	58	60	60
Camden	237	227	214	217
Elizabeth	230	180	175	176
Freehold	277	298	268	253
Hackensack	256	187	166	159
Jersey City	547	202	187	180
Lebanon	179	145	148	139
Mt Arlington	186	94	85	75
Mt Holly	239	121	100	78
New Brunswick	289	266	269	238
Newark	716	524	499	503
Paterson	461	262	219	202
Toms River	197	222	219	218
Trenton	181	142	123	125
Total MCARE Cases	4153	2992	2785	2677