

Affected Programs: BadgerCare Plus, Medicaid, Wisconsin AIDS Drug Assistance Program
To: All Providers, HMOs and Other Managed Care Programs

Providers Are Required to Report a Change in Ownership Within 35 Days

This *ForwardHealth Update* informs providers that they are required to notify ForwardHealth — or the Wisconsin AIDS Drug Assistance Program, if applicable — of a change in ownership within 35 calendar days after the effective date of the change. This *Update* also clarifies what constitutes a change in ownership.

Providers are required to notify ForwardHealth — or the Wisconsin AIDS Drug Assistance Program (ADAP), if applicable — of a change in ownership within 35 calendar days after the effective date of the change, in accordance with 42 CFR 455.104(c)(1)(iv). ForwardHealth and ADAP define a change in ownership as follows: when a different party purchases (buys out) or otherwise obtains ownership or effective control over a practice or facility.

Failure to report a change in ownership within 35 calendar days may result in denial of payment, per 42 CFR 455.104(d).

Managed care organizations are not required to report a change in ownership to ForwardHealth.

Written Notification and New Enrollment Application Required

Any time a change in ownership occurs, the following actions are required:

- The change in ownership must be reported in writing to ForwardHealth or ADAP within 35 calendar days *after* the effective date of the change. The affected

provider number (i.e., National Provider Identifier or provider ID) should be noted in the letter.

- After ForwardHealth or ADAP is notified of the change in ownership, a new Medicaid or ADAP provider enrollment application must be completed on the ForwardHealth Portal at www.forwardhealth.wi.gov/.

The letter notifying ForwardHealth or ADAP of the change in ownership may be mailed to ForwardHealth or ADAP, or it may be uploaded as an attachment when the new Medicaid or ADAP provider enrollment application is completed on the Portal.

Once the provider's file is updated with the change in ownership, the provider will receive written notification of the new Medicaid or ADAP enrollment effective date in the mail.

Events That Are Considered a Change in Ownership

The following events are considered a change in ownership and require the completion of a new provider enrollment application:

- Change from one type of business structure to another type of business structure. Business structures include the following:
 - ✓ Sole proprietorships.
 - ✓ Corporations.
 - ✓ Partnerships.
 - ✓ Limited Liability Companies.

- Change of name and tax identification number associated with the provider's submitted enrollment application (e.g., Employer Identification Number).
- Change (i.e., addition or removal) of names identified as owners of the provider.

Examples of a Change in Ownership

Examples of a change in ownership include the following:

- A sole proprietorship transfers title and property to another party.
- Two or more corporate clinics or centers consolidate, and a new corporate entity is created.
- There is an addition, removal, or substitution of a partner in a partnership.
- An incorporated entity merges with another incorporated entity.
- An unincorporated entity (sole proprietorship or partnership) becomes incorporated.

Reminders

Repayment Following a Change in Ownership

Medicaid- or ADAP-enrolled providers who sell or otherwise transfer their business or business assets are required to repay ForwardHealth or ADAP for any erroneous payments or overpayments made to them. If necessary, the provider to whom a transfer of ownership is made will also be held liable by ForwardHealth or ADAP for repayment.

Submitting New Prior Authorization Requests After a Change in Ownership

Medicaid-enrolled providers are required to submit a new prior authorization (PA) request when there is a change in billing providers. A new PA request must be submitted with the new billing provider's name and billing provider number. The expiration date of the new PA request will remain the same as the original PA request.

The following must be sent to ForwardHealth with the new PA request:

- A copy of the original PA request, if possible.
- The new PA request, including the required attachments and supporting documentation indicating the new billing provider's name, address, and billing provider number.
- A letter requesting the enddating of the original PA request (may be a photocopy), which should include the following information:
 - ✓ The previous billing provider's name and billing provider number, if known.
 - ✓ The new billing provider's name and billing provider number.
 - ✓ The reason for the change of billing provider. (The new billing provider may want to confer with the member to verify that the services from the previous billing provider have ended. The new billing provider may include this verification in the letter.)
 - ✓ The requested effective date of the change.

Additional Information About Changes in Ownership

Additional information about changes in ownership can be found in the Provider Enrollment area of the Portal:

- For Medicaid providers, additional information can be found on a new Change in Ownership page linked under Medicaid Criteria on the Provider Enrollment Information home page.
- For ADAP providers, additional information can be found on a new Change in Ownership page linked under the Wisconsin AIDS Drug Assistance Program link. The Wisconsin AIDS Drug Assistance Program link is located under Other Programs on the Provider Enrollment Information home page.

The new Change in Ownership pages contain information previously found in the ForwardHealth Online Handbook.

Providers with questions about changes in ownership may call Provider Services at (800) 947-9627.

The *ForwardHealth Update* is the first source of program policy and billing information for providers.

Wisconsin Medicaid, BadgerCare Plus, SeniorCare, and Wisconsin Chronic Disease Program are administered by the Division of Health Care Access and Accountability, Wisconsin Department of Health Services (DHS). The Wisconsin AIDS Drug Assistance Program and the Wisconsin Well Woman Program are administered by the Division of Public Health, Wisconsin DHS.

For questions, call Provider Services at (800) 947-9627 or visit our Web site at www.forwardhealth.wi.gov/.

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