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| LOCAL COMMISSIONERS MEMORANDUM |
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DSS-4037EL (Rev. 9/89)

Transmittal No: 91 LCM-49

Date: March 27, 1991

Division: Medical Assistance

TO: Local District Commissioners

SUBJECT: Third Party Liability (TPL) and the National Vaccine Injury
Compensation Program (NVICP).

ATTACHMENTS: Medicaid State Operations Letter #91-20
(Not Available On-Line)

Enclosed for your information is a copy of Medicaid State Operations Letter #91-20 which explains that the National Vaccine Injury Compensation Program (NVICP) is a primary payer before Medicaid.

In discussions with the Health Care Financing Administration subsequent to receipt of the letter, we were advised that it would be extremely rare to find a Medicaid recipient who is pursuing or has already received a settlement from NVICP because of a serious physical reaction to a vaccine. However, districts should be aware that Medicaid can recover payments for services that were later paid for by NVICP.

Any questions on this program can be directed to John Brunelle, Supervisor of Third Party Program Coordination at 1-800 342-3715, extension 4-0345.

Sincerely,

Jo-Ann A. Costantino
Deputy Commissioner
Division of Medical Assistance