

## Medicare Courts of Appeal

Cleveland will be the base for one of three Medicare Courts of Appeal, which will handle thousands of Medicare claims that are backlogged. The Cleveland Medicare Appeals Court will have 15 judges, who will hear claims originating in 19 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands

### Medicare Appeals Courts and states each will administer

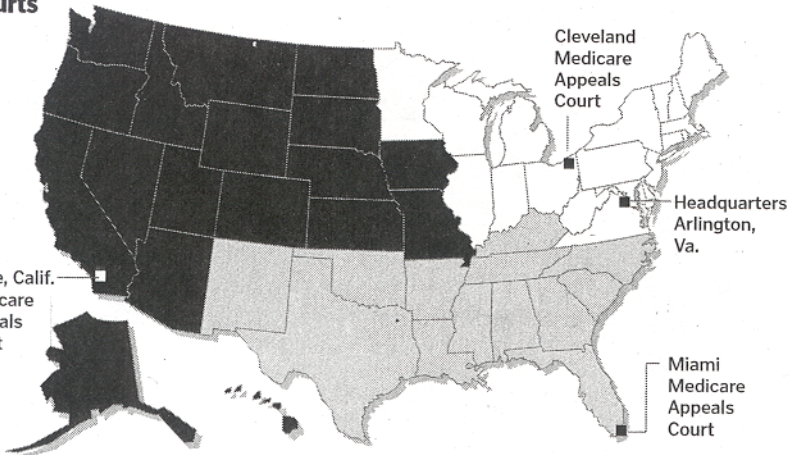
- Cleveland region
- Irvine, Calif. region
- Miami region

Medicare appeals pending\*

**32,489**

Average waiting time for a decision\*

**301 days**



\* As of March 1, 2005

SOURCES: Social Security Administration; U.S. Senate Finance Committee; U.S. Department of Health and Human Services

THE PLAIN DEALER

# MEDICARE

FROM AI

## Cleveland is new site for Medicare appeals

Cleveland judges will be responsible for deciding appeals from 19 states and the District of Columbia, Puerto Rico and the U.S. Virgin Islands. Cases will arrive from Maine to Minnesota and from New England along the East Coast to Maryland.

"Cleveland was chosen because it is centrally located to the regions it will be supporting," said HHS spokesman Mike Robinson.

Currently it takes an average of nearly a year for an appeal to be decided. There's a backlog of 32,489 cases nationwide, including 644 in Ohio.

But even before the doors open, the leaders of the powerful Senate Finance Committee warned HHS Secretary Mike Leavitt and Social Security chief Jo Anne Barnhart last week that the new system has big problems, including employee training, the location of the field offices, and a reliance on video teleconferencing to conduct long-distance hearings.

"A failure in the implementation of any one of these areas threatens the integrity of the Medicare program and has serious consequences for each of the

42 million Americans that has coverage under Medicare," wrote the committee's chairman, Iowa Republican Charles Grassley and senior Democrat member Max Baucus of Montana.

They have also asked the General Accountability Office, the investigative arm of Congress, to monitor the new appeals system's progress.

Robinson said HHS is busy gathering the information to address the senators' concerns.

The hearings offices must be functioning no sooner than July 1 and no later than Oct. 1, according to provisions of the Medicare reform law Congress passed in 2003. The same law also created the prescription drug benefit, which takes effect in January. Consumer advocates fear its complexities will add to the backlog of Medicare appeals.

Robinson said HHS is "definitely on track" to meet the congressional deadlines.

Judge Perry Rhew, who has been the acting chief administrative law judge in charge of reviewing appeals of Social Security disability benefit claims in Cleveland, will be the new managing judge for the Cleveland Office of Medicare Hearings and Appeals. He starts next week.

When it opens for business, it will inherit the backlog of cases from Social Security's Office of Hearings and Appeals, which had previously handled the

claims along with disability benefits appeals.

Attorneys like Karla Perry anticipate more cases after the drug benefits program begins because it is so complex. Perry handles Medicare appeals at the Legal Aid Society of Cleveland on behalf of seniors who have opened their Medicare statements to discover that Medicare won't pay for their cataract surgery or wheelchairs or other services.

The Medicare law sets a 90-day limit for decisions after the office receives an appeal. The tighter deadlines, new judges, and a new drug benefit will be a challenge, Perry said.

"It will be interesting to see what happens," she said.

Anyone interested in working in the new office can search the federal government's employment Web site at [www.usajobs.gov](http://www.usajobs.gov). Yesterday, an ad sought program analysts for the Cleveland, Irvine and Miami offices.

"Become a part of the Department that touches the lives of every American!" it says. "Join HHS and help to make our world healthier, safer and better for all Americans."

And the salary isn't bad, either, nudging up to almost six figures.

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