


























**Table 1. Analysis of Common MSP Coverage Situations**

| Individual   | Condition  | Pays First  | Pays Second   |
|--|--|---|---|
| Is 65 or older, and covered by a Group Health Plan (GHP*) through current employment or spouse's current employment          | The individual is entitled to Medicare.<br><br>The employer has <b>less</b> than 20 employees.   | <br><b>Medicare</b>   | <br><b>GHP</b>               |
| Is 65 or older, and covered by a GHP through current employment or spouse's current employment                               | The individual is entitled to Medicare.<br><br>The employer has 20 or <b>more</b> employees or is part of a multiple or multi-employer group with at least one employer employing 20 or <b>more</b> individuals.   | <br><b>GHP</b>        | <br><b>Medicare</b>          |
| Is 65 or older, has an employer retirement GHP, and is not working   | The individual is entitled to Medicare.  | <br><b>Medicare</b>  | <br><b>Retiree Coverage</b> |
| Is under 65, disabled, and covered by a GHP through their current employment or through a family member's current employment | The individual is entitled to Medicare.<br><br>The employer has less than 100 employees.   | <br><b>Medicare</b> | <br><b>GHP</b>             |
| Is under 65, disabled, and covered by a GHP through their current employment or through a family member's current employment | The individual is entitled to Medicare.<br><br>The employer has 100 or <b>more</b> employees or is part of a multiple or multi-employer group with at least one employer employing 100 or <b>more</b> individuals. | <br><b>GHP</b>      | <br><b>Medicare</b>        |



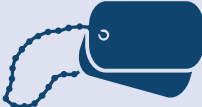





**Table 1. Analysis of Common MSP Coverage Situations (cont.)**

| Individual  | Condition   | Pays First  | Pays Second   |
|---|---|---|---|
| Has End-Stage Renal Disease (ESRD) and GHP coverage was the primary plan prior to the individual becoming eligible and entitled to Medicare based on ESRD | First 30 months of Medicare eligibility or entitlement. | <br>GHP   | <br>Medicare   |
| Has ESRD and GHP coverage   | After 30 months of Medicare eligibility or entitlement. | <br>Medicare  | <br>GHP        |
| Has ESRD and Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) coverage prior to becoming eligible or entitled to Medicare                   | First 30 months of Medicare eligibility or entitlement. | <br>COBRA   | <br>Medicare  |
| Has ESRD and COBRA coverage   | After 30 months of Medicare eligibility or entitlement. | <br>Medicare  | <br>COBRA    |
| Is covered under Workers' Compensation (WC) because of a job-related illness or injury  | The individual is entitled to Medicare.                 | WC pays first for health care items or services related to job-related illness or injury. See <a href="#">When May Medicare Make a Conditional Payment?</a> section.<br><br><br>Workers' Compensation | <br>Medicare |

**Table 1. Analysis of Common MSP Coverage Situations (cont.)**

| Individual  | Condition  | Pays First  | Pays Second   |
|---|--|---|---|
| <p>Was in an accident or other incident where no-fault or liability insurance is involved</p> | <p>The individual is entitled to Medicare.</p>                   | <p>No-fault or liability insurance pays first for accident- or other incident-related health care services. See <a href="#">When May Medicare Make a Conditional Payment?</a> section.</p> <p>WC, Liability, or No-Fault pays first when ongoing responsibility for medicals (ORM) is reported. Medicare does not make a payment.</p> |  <p><b>Medicare</b></p> <p><b>NOTE: For ORM, Medicare does not make a payment until ORM funds are exhausted.</b></p> |
| <p>Is 65 or older, <b>or</b> is disabled and covered by Medicare and COBRA</p>                | <p>The individual is entitled to Medicare.</p>                   |  <p><b>Medicare</b></p>   |  <p><b>COBRA</b></p>   |
| <p>Dual eligible beneficiary regardless of reason for eligibility</p>                         | <p>The individual is entitled to both Medicare and Medicaid.</p> |  <p><b>Medicare</b></p>   |  <p><b>Medicaid</b></p>  |

**Table 1. Analysis of Common MSP Coverage Situations (cont.)**

| Individual   | Condition   | Pays First   | Pays Second   |
|--|---|--|---|
| Covered by Medicare <b>and</b> has a Medigap or Medicare supplemental plan                   | The individual is entitled to Medicare.             | <br><b>Medicare</b>  | <br>Medigap/Medicare Supplemental Plan |
| Active duty status military member   | The individual is entitled to Medicare and TRICARE. | <br><b>TRICARE</b>   | <br><b>Medicare</b>                    |
| Inactive status military member treated by civilian providers                                | The individual is entitled to Medicare and TRICARE. | <br><b>Medicare</b>  | <br><b>TRICARE</b>                     |
| Inactive status military member treated at a military hospital or by other Federal providers | The individual is entitled to Medicare and TRICARE. | <br><b>TRICARE</b> | <br><b>Medicare</b>                  |

\* A GHP is any arrangement of, or contribution from, one or more employers or employee organizations to provide insurance to current or former employees or their families.

For more education on how Medicare works with other government payers, take the [Medicare Learning Network® \(MLN\) Web-Based Training](#) course “Medicare Secondary Payer Provisions.”