

## **40 - Medicare Secondary Payer (MSP) Rules**

*(Rev. 103, Issued: 11-04-11, Effective: 11-04-11, Implementation, 11-04-11)*

A State cannot take away an MA organization's right under Federal law and the MSP regulations to bill, or to authorize providers and suppliers to bill, for the services for which Medicare is not the primary payer. The MA organization may exercise the same rights to recover from a primary plan, entity, or individual that the Secretary exercises under the MSP regulations at 42 CFR Part 411, Subparts B through D. For more information on the MSP regulations, refer to section 130 of Chapter 4 of this manual.