

What is Subrogation in Medicaid?

Medicaid Subrogation is also known as cost recovery. This takes place when a person has medical expenses paid by Medicaid, then receives a settlement to cover medical costs.

Subrogation Rights

The State of New Mexico, Human Services Division (HSD) has a right to subrogation against any parties or entities to enforce the assignment of these benefits. HSD may also join any action brought by a recipient, or if no action is brought, proceed against the liable third party in HSD's or the recipient's name. Alternatively, HSD may recover from the recipient or his/her estate to the extent that the recipient has received any money in settlement of his/her claim. See NMSA 1978 § 27-2-23.

Who is HMS?

Health Management Systems (HMS), a Gainwell Technologies Company, is an independent contractor contracted by the State of New Mexico, since 2011 to conduct Medicaid audits for Third Party Liability Services. HMS assists the State of New Mexico in recovering amounts due from liable third parties, prevent future inappropriate payments and reduces fraud through analytic solutions.

What will HMS need to open your case?

HMS will require the following data from your office:

- a. Authorization from your client to release medical records.
- b. Action, name, number, and jurisdiction if suit has been filed.
- c. Summary of case facts:
 - Identification of client(s), including name and Social Security Number, Medicaid ID
 - Identification of all other parties
 - Identification of all insurance carriers
 - Total amount recoverable
 - Date of injury and county in which injury occurred
 - Identification of medical providers of record
 - Circumstances surrounding injury
 - A settlement proposal stating any extenuating circumstances

How long does it take to process a case?

HMS has thirty (30) days to open a case and request additional information. The length of time after the case is opened depends on the volume of claims. Please be aware that since Medicaid is not always the direct payor of medical expenses, it may cause a significant delay before HMS can provide accurate information on the Medicaid claim amount.

Medicaid's claim amount is subject to change due to ongoing medical care.

How to contact HMS:

HMS – New Mexico Casualty Recovery
PO Box 165596
Irving, TX 75016-5596

Phone: 855-212-0143
Fax: 855-285-3994

E-mail: nmcasualty@gainwelltechnologies.com

Business Hours: Monday-Friday 7:00 a.m.-5:30 p.m. MST

You may also visit their online portal at: [HMS Holdings](#)