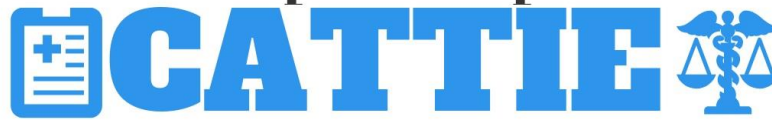


# The Medicare Compliance Experts You Expect



## The Legal Partners You Deserve

### How A Cattie MSA Legal Opinion Protects Our Clients

Cattie stands behind its conclusions 100%. Clients hiring lawyers for legal advice are entitled to rely on that legal advice. If a client relies on legal advice to their detriment, the client has recourse. The client can sue the attorney/firm for legal malpractice or can report that attorney to the state bar. Think about this:

*Example 1* – You have a tax question. You hire a tax attorney to answer that question. That attorney reviews your case and provides you a tax opinion. You rely on that opinion to proceed in a certain way. If that advice turns out to be erroneous, you can sue your attorney for legal malpractice, or you can report your attorney to the state bar.

*Example 2* – You want to buy a parcel of land, but want to know if the title to that parcel is free and clear. To answer that question, you hire a real estate attorney. That attorney provides you an opinion stating that the title is free and clear of any encumbrances. Based on that opinion, you buy the parcel of land. Later, another person shows up claiming the land belongs to them. As it turns out, their claim trumps yours. Since you relied on your attorney's advice to your detriment, you have recourse. You can sue your attorney for legal malpractice, or you can report your attorney to the state bar.

Medicare Set-Asides (MSAs) are no different. Attorneys providing legal advice about MSAs must stand behind their conclusions. Clients receiving legal advice about MSAs have a right to rely on that advice. To the extent they rely on that advice to their detriment, they have recourse. They can sue that attorney for legal malpractice or can report that attorney to the state bar. They cannot do that with an MSA vendor.

Clients hiring Cattie for an MSA Legal Opinion enjoy certain benefits that arise from the attorney/client relationship, with no additional strings attached (such as use of any specific MSA administrator).

Cattie stands behind its conclusions 100%. If Medicare pursues our client seeking additional dollars above and beyond that amount we recommend, Cattie will defend its opinion against Medicare.

- This pursuit may take 1 of 2 forms: 1) Medicare rejects future medical bills from medical providers for reimbursement, advising the provider to seek payment from Cattie's client; or 2) Medicare pays certain future medical bills, but then seeks reimbursement from Cattie's client.

Cattie will defend, directly with Medicare, any post-settlement conditional payments arising solely from the client's application of and reliance on a Cattie MSA Legal Opinion, or resulting solely from Cattie's negligence in calculating MSA amounts in accordance with the Medicare Secondary Payer (MSP) Act.

If all funds set aside pursuant to a Cattie MSA Legal Opinion have been permanently depleted and CMS seeks reimbursement of additional post-settlement conditional payments as a result of Cattie's negligent calculation, Cattie will fund the conditional payments up to the amount of the difference between the Cattie MSA Legal Opinion and the amount that Medicare determines the MSA should have been.

When you hire Cattie for an MSA Legal Opinion, you can rely on the conclusions of that opinion to settle your case and close your file for good, with no possibility of Medicare recovering anything else from you going forward. This is our promise to our clients.

**John V. Cattie, Jr.**