

# Affirmative claims help in the recovery of reasonable value of medical care

**PAMELA CAMPBELL**

*Claims Division*

An affirmative claim is a claim asserted in favor of the United States for the recovery of the reasonable value of medical care or "cost of pay" furnished by the U.S. to a covered military beneficiary (i.e. active duty military, retirees and their dependents). This includes collecting for the damage to or loss of government property.

Federal Medical Care Recovery Act provides for the recovery of the reasonable value of medical care furnished by the U.S. in regards to injury or disease incurred under circumstances creating tort liability (i.e. Motor vehicle accidents, animal bites, work injuries etc.) upon some third person (Person responsible for the accident/incident).

The implementation of the affirmative claims program began on Nov. 9, 1962 by Executive Order 11060 and 28 CFR 43. Section 1095, United States Code (USC), title 10, provides authority for military treatment facilities (MTF) to collect the reasonable cost of health care from health insurance and Medicare supplemental policies.

Amendment to this policy by PL 101-510, 104 Stat. 1485 on Nov. 5, 1990, provides claims office with the additional authority to assert claims against automobile insurers, home owners insurance, workers' compensation for care provided in a MTF on or after that date.

For more information, call Pamela Campbell or Lori Pritchard at 568-5822 or you may come into the Claims office located in Bldg. 113.



STAFF SGT. JAMES H. CHRISTOPHER III

## Mass destruction exercise

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