

The Cope...



INCMA's Monthly Fax Newsletter

November 2009

AFS MAKES PROGRESS ON CAP- and-TRADE FOUNDRY CREDITS

AFS announced this week that efforts on multiple levels (including INCMA's recent meetings with Senators Bayh and Lugar) appear to be working in the effort to have foundries included in the credits system should a cap and trade bill pass the Congress.

Foundries have been invited in to work more closely with the Energy Intensive Trade Entities (EITE) Working Group which represents all of the current sectors that would receive credits to ease the cost burden should a cap and trade system be implemented. While no foundry amendment language has been drafted or adopted yet, things are moving in a very positive direction.

On a related matter, a recent European Decision Directive was published supporting credits/rebates for the foundry sector in Europe supporting assertions that the sector was inappropriately left out of the initial list of Energy Intensive Industries. The change in European policy on this matter could be finalized as

soon as December 23, 2009. This Directive has proven to be a valuable tool in our DC efforts.

MEDICARE & WORKERS COMPENSATION

Section 111 of the Mandatory Insurer Reporting (MIS) program mandates reporting of



specific information on Medicare beneficiaries who receive settlements, judgments, awards or other payments from liability, no-fault, or Workers' Compensation insurance for their injuries. The information on those claims must be sent to the Centers for Medicare & Medicaid Services.

Your insurance company is considered the Responsible Reporting Entity (RRE) as defined by CMS for policyholders on compensation claims they handle and pay.

Please note that if a policyholder fails to report a claim and/or

self-pays any portion of a claim, then the policyholder becomes the RRE and is subject to Section 111, along with the associated Federal fines for non-compliance.

Policyholders who decide to pay all or any portion of a medical claim under an insurance plan, such as Workers' Compensation, that may involve a Medicare beneficiary are reminded that CMS views these situations as involving self-insurance, and the policyholder is subject to the reporting requirement or alternative fine of \$1,000 per day, per claim, for non-compliance.

IMA OFFERS IMMIGRATION WEBINAR

Citing several stepped up levels of federal oversight and enforcement in the past 12 months, the IMA is offering a webinar on December 15th dealing with immigration compliance issues. The webinar will be presented by attorneys from Lewis & Kappes. More information is online at www.imaweb.com.

DAN MURRAY LEAVING IDEM

Dan Murray, IDEM Asst. Commissioner for Air will leave the agency at the end of the month to accept a position in the private sector in Kansas City. Dan was a significant force for reform in the agency and a fair hand on foundry matters. His leadership will be missed particularly on the recently initiated effort to overhaul the air permitting rules. No replacement has been named.

WELCOME NEW MEMBER!

INCMA welcomes Murdock Goldenberg Schneider & Groh, LPA headquartered in Cincinnati as our newest Associate Member. The firm offers environmental consulting among other services throughout the Midwest and is represented in Indiana by Adam Wylie.

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