

## Eli's Hospice Insider

### Billing: These 4 Notice Of Election Filing Exemptions May Save Your Bacon

**Hint: Pointing the finger at staffing problems isn't going to cut it.**

Is your hospice reimbursement suffering under the five-day filing deadline for Notices of Election? A new MAC resource may help.

A new web page on the topic from HHH Medicare Administrative Contractor **CGS** spells out when NOE penalties apply. "When the receipt date (REC DT) on your notice of election (NOE) is more than 5 days after the admit date (ADM DT), your NOE is considered untimely," CGS explains. "Those days, from admission to the day before the NOE was received, are not payable by Medicare."

**However:** "There are some circumstances in which an exception may be granted for the untimely days," CGS offers. They include:

- "(1) Fires, flood, earthquakes, or other unusual events that inflict extensive damage to hospice's ability to operate;
- (2) An event that produces a data filing problem due to [the **Centers for Medicare & Medicaid Services**] or contractor system issues, **beyond the control of the hospice**;
- (3) Newly Medicare-certified hospice that is notified of certification after Medicare certification date, or awaiting user ID from Medicare contractor; or
- (4) Other circumstances determined by the Medicare contractor (i.e. CGS) or CMS to be **beyond hospice's control.**"

**For example:** Acceptable exceptions would apply when a hospice must remove a timely filed NOE to allow a prior hospice to bill, or when a timely filed NOE was returned (RTPd) due to an open prior hospice benefit period, CGS says.

Examples of unacceptable exceptions include hospice personnel issues, internal IT system issues, lack of knowledge of requirements, and NOEs that were returned because of a billing, keying or eligibility error, CGS emphasizes.

Note: See directions for filing for an exemption at CGS's new page at [www.cgsmedicare.com/hhh/education/materials/requesting\\_exception\\_untimely\\_noes.html](http://www.cgsmedicare.com/hhh/education/materials/requesting_exception_untimely_noes.html)