

Eli's Hospice Insider

Bundling: OIG Calls For Crackdown On Hospice-Related Drugs

Medicare paid Part D plans \$33 million for drugs that hospices should have covered, new report says.

Get ready to defend your claim that your hospice patient's drugs aren't related to the terminal illness.

In a new report, the **HHS Office of Inspector General** says Medicare Part D plans potentially paid \$33.6 million for drugs that hospices should have covered under their Medicare per diem payment rates. The drugs include analgesics, anti-nausea meds, laxatives, and anti-anxiety drugs, as well as prescription drugs used to treat chronic obstructive pulmonary disease (COPD) and amyotrophic lateral sclerosis (ALS).

The OIG wants the **Centers for Medicare & Medicaid Services** to take action on the issue. CMS should "perform oversight to ensure that Part D is not paying for drugs that Medicare has already covered under the per diem payments made to hospice organizations," the OIG urges in the report.

The OIG also wants Part D plans themselves to develop controls that will assist them in avoiding duplicate drug payments. And the watchdog agency calls on CMS to educate hospices and pharmacies about the problem.

For once, CMS doesn't just go along with the OIG's recommendation. "OIG was not able to definitely determine that duplicate payments were made," CMS says in its official comments on the report's findings.

For example: Analgesics are often used for palliative care for hospice patients, the OIG admits in the report. But if a patient falls and breaks a hip, she would use analgesics for that problem that is unrelated to the terminal illness, and therefore the Part D payment would not be a duplication.

Bottom line: "It would be difficult and costly for OIG to implement ... an on-going oversight program, especially considering that the results would not be sufficiently conclusive to be actionable," the report notes. CMS does agree to research a more cost-effective solution to determine actual duplicate payments, however. And the agency agrees to educate about the issue.

The report is online at <http://oig.hhs.gov/oas/reports/region6/61000059.asp>.