

## Eli's Hospice Insider

### Compliance: Assess These 3 Compliance Hot Spots Highlighted By The OIG

#### Fraud and abuse scrutiny to get even heavier in 2017.

The **HHS Office of Inspector General** will be focusing on three new hospice topics in the new year, according to its Work Plan for 2017. Are you ready for the heat?

The new topics are:

**1. Medicare Hospice Benefit Vulnerabilities and Recommendations for Improvement: A Portfolio.** The Medicare hospice program has an array of "vulnerabilities in payment, compliance, and oversight as well as quality-of-care concerns," the OIG warns. "We will summarize OIG evaluations, audits, and investigative work on Medicare hospices and highlight key recommendations for protecting beneficiaries and improving the program."

**2. Review of Hospices' Compliance with Medicare Requirements.** The OIG also includes this rather vague and wide-ranging topic, although the summary does hint at delving into services billed separately from the hospice benefit. "When a beneficiary elects hospice care, the hospice agency assumes the responsibility for medical care related to the beneficiary's terminal illness and related conditions," the OIG points out.

**3. Hospice Home Care □ Frequency of Nurse On-Site Visits to Assess Quality of Care and Services.** The hot button topic of visit utilization shows up on the OIG's to-do list. "Medicare requires that a registered nurse make an on-site visit to the patient's home at least once every 14 days to assess the quality of care and services provided by the hospice aide and to ensure that services ordered by the hospice interdisciplinary group meet the patient's needs," according to the Work Plan. "We will determine whether registered nurses made required on-site visits to the homes of Medicare beneficiaries who were in hospice care."

**Reminder:** A new quality measure on skilled service visits in the last days of life was just finalized in the 2017 hospice payment update final rule.

**Review:** The OIG also points to its report issued in September on Notices of Election and Certifications of Terminal Illness, in which the **Centers for Medicare & Medicaid Services** agreed to issue model NOE language (see story, p. 1). Following the report, CMS has now issued a new model notice.

**Takeaway:** "Carefully review the Work Plan to determine areas of government focus," counsels attorney **Sarah DiFrancesca** with law firm **Cooley** in analysis of the report. "The Work Plan often serves as a useful resource for companies planning and prioritizing compliance activities for the upcoming year, including training, auditing and monitoring."