

Eli's Hospice Insider

Compliance: Don't Expect An Exception To FFE Rules

Make sure your policies address these potential pitfalls.

Think the face to face encounter requirement doesn't apply when a hospice physician isn't available? Think again.

Effective April 1, a hospice physician or non-physician practitioner must perform the FFE visit before 180-day and later recertifications, the **Centers for Medicare & Medicaid Services** noted in a Dec. 1 Open Door Forum for home care providers.

That means if a patient was on another hospice's (or your own) service before, then revoked or transferred and will need a recert past the 180-day mark, the FFE must be completed before the benefit period starts.

Exception: If the patient is transferring from another hospice that has done the FFE already, then the new hospice doesn't have to do it, explained CMS's **Randy Thronset** in the forum. The FFE should be documented in the patient's clinical record.

CMS does not have the ability to grant a waiver to the statutory requirement, CMS's **Lori Anderson** noted in the forum.

The problem: A representative from **Hospice of Michigan** asked what they should do if an actively dying patient who requires a FFE is referred on a Friday evening and the physician isn't available for the encounter until Monday. "Should we delay admission?" she asked in the forum.

CMS dodged the question, saying they are researching the issue, but don't think they can give hospices any leeway under the law.