

Eli's Hospice Insider

Documentation: Add These Attending Physician Changes To Your Hospice Duties

Tip: Make sure your election form includes language indicating patient choice.

If you fail to follow new requirements about documenting the attending physician for hospice patients, you could forfeit the payment for that patient and court survey deficiencies to boot.

In the 2015 final rule for hospice payment, the **Centers for Medicare & Medicaid Services** sets out two new requirements for hospices regarding attending physicians:

1. NOE content change. Hospices must include on the election statement "the patient's choice of attending physician," CMS says in the rule published in the Aug. 22 Federal Register. The NOE must identify the attending physician "in enough detail so that it is clear which physician or [Nurse Practitioner] was designated as the attending physician," but otherwise the format is up to individual hospices.

Also, "the language on the election form should include an acknowledgement by the patient (or representative) that the designated attending physician was the patient's (or representative's) choice," CMS instructs.

2. Documentation for switching attendings. "If a patient (or representative) wants to change his or her designated attending physician, he or she must follow a procedure similar to that which currently exists for changing the designated hospice," CMS adds in the rule. "Specifically, the patient (or representative) must file a signed statement with the hospice that identifies the new attending physician in enough detail so that it is clear which physician or NP was designated as the new attending physician."

Why The Change?

CMS undertook the attending physician-related regulatory revisions in response to "anecdotal reports of hospices changing a patient's attending physician when the patient moves to an inpatient setting for inpatient care, often to a nurse practitioner," the agency says in the rule.

"We have also heard reports of hospices assigning an attending physician based upon whoever is available," CMS says in the rule. "Medicare contractors noted that the NPI of the attending physician reported on claims was sometimes changing, and differed from that reported on the NOE."

Damning statistic: "Additionally, using CY 2010 and CY 2011 data, we found that 35 percent of beneficiaries had Part B claims during their hospice election from more than one physician who claimed to be their designated attending physician," CMS reveals in the rule. "The reports of hospices changing a patient's attending physician are of great concern since the statute emphasizes that the attending physician must be chosen by the patient (or his or her representative)."

Cert problem: "Some hospices are not getting the signature of the attending physician on the initial certification," CMS concludes. "If a beneficiary has designated an attending physician, that physician must sign the initial certification for Medicare to cover and pay for hospice services, unless the attending is a NP."

Note: The final rule is at www.gpo.gov/fdsys/pkg/FR-2014-08-22/pdf/2014-18506.pdf. The new NOE requirements are discussed on pp. 29-32 of the PDF file.

