

Eli's Hospice Insider

Fraud & Abuse: High-Profile Newspapers Take Swings At Hospice Industry

Washington Post, New York Times take aim at hospices.

Expect hospice payment reform to get on an even faster track, thanks to two high-profile articles on hospices in two prominent newspapers.

The Washington Post recites multiple allegations from whistleblower lawsuits against for-profit companies including **AseraCare** and **VITAS**. (For more details on the suits, see Eli's Hospice Insider, Vol. 5, No. 2 [AseraCare] and Vol. 6, No. 7 [VITAS]). It lambastes the for-profit hospice industry for recruiting patients who don't truly have a six-month prognosis and discharging too many live patients.

For example: AseraCare's Mobile, Ala. location discharged about 78 percent of patients alive, the newspaper reports. **Delta Hospice** in California had a branch with a 63 percent live discharge rate.

For-profits aim for long-stay patients because they are the most profitable, the Post says. Due to pressure from management, marketers and clinicians admit patients who aren't really eligible for the benefit, bilking Medicare of major funding.

The Dec. 26, 2013, article, "Hospice Firms Draining Billions from Medicare," was picked up for wide distribution in a number of other newspapers and had generated more than 860 comments on the Post website as of press time.

Patient's Family Characterizes Discharge As 'Cruel' In Newspaper

After the Post ran its exposé on for-profit hospices recruiting long-stay patients, the New York Times jumped on the bandwagon, beating up the industry for discharging patients who are no longer eligible for the Medicare benefit.

Hospice discharges are climbing, notes the Times in its "New Old Age" blog. Hospices blame a crackdown on eligibility from Medicare. But one discharged patient's daughter calls the discharge "cruel" in the newspaper.

Gilchrist Hospice, the largest in Maryland, discharges about 20 percent of its patients, and "we're on the low side," its clinical director **Regina Bodnar** told the Times.

"CMS, through its contractors, is looking much more carefully at longer-stay patients," the **National Hospice and Palliative Care Organization's Jonathon Keyserling** told the Times. With hospices under increasing scrutiny, "they need to be even more careful about the patients they admit and the patients they keep."

In the past, "you never did weights on hospice patients," Bodnar said. Now, Gilchrist weighs patients; if it can't, it measures the circumferences of their arms. "We're looking for objective data" to justify recertifying patients, she said.

"I worry about families who have agonized about the decision and finally called for help, then feel betrayed when hospice withdraws," Times blogger **Paula Span** writes.

"I get the need to right the ship and make sure only eligible patients receive benefits," Bodnar said. "My fear is that we're at risk of discharging patients who aren't dying fast enough."

