

Eli's Hospice Insider

Hospice News: NOE Exception Requests Are Under The Microscope

Be careful when making NOE exception requests, or you could find your HHH MAC on your case.

HHH Medicare Administrative Contractor CGS warns hospice agencies against "the improper use of modifier KX and the Additional Documentation Request (ADR) process," in a new message.

"Hospice Notices of Election (NOEs) must be submitted within five calendar days after the admission date," CGS explains. "If an [NOE] is not filed timely, you may request an exception, which, if approved, waives the consequences of late filing," the MAC allows.



However: The Centers for Medicare & Medicaid Services allows such exceptions only in four circumstances - (1) Fires, floods, earthquakes or other unusual events that inflict extensive damage to the provider's ability to operate; (2) An event that produces a data filing problem due to a CMS or MAC system issue that is beyond the provider's control; (3) A newly Medicare-certified provider that is notified of their certification after the Medicare certification date or is awaiting its user ID from the MAC; and (4) "Other circumstances determined by the MAC or CMS to be beyond the provider's control."

To claim an exception for one of those four allowed scenarios, submit a claim with the KX Modifier and in the remarks field, "clearly indicate all the circumstances and time frames that support the exception request," CGS instructs.

"If the information in the REMARKS field is missing or insufficient, the claim will suspend to FISS status/location S B6001 with reason code 39701 and a non-MR ADR will generate," CGS warns.