

Eli's Hospice Insider

Legislation: Hospice Face-To-Face Requirement Tucked into Home Health PPS

Hospices are in for more medical review under health care reform package.

The new health care reform package includes a lot of new requirements and the result can sometimes be confusion.

For example: The Centers for Medicare & Medicaid Services (CMS) will be issuing in the upcoming home health agency prospective payment system proposed rule a new requirement that a physician see a patient face to face before certifying her. However, even though it's in the HHA rule, the requirement will apply to hospice patients only, CMS clarified in the April 14 Open Door Forum for home care providers.

That is a big relief for HHAs that thought the face-to-face requirement in the Patient Protection and Affordable Care Act (PPACA) would apply to them. But it still places a heavy regulatory burden on hospices.

Under PPACA, for services on and after Jan. 1, 2011, a physician or nurse practitioner must have a face-to-face encounter with hospice patients to determine their continued eligibility, CMS's Randy Thronset explained. The requirement applies to recertifications at 180 days and each subsequent recert.

That physician or NP also must attest that such a visit took place, Thronset added.

Plus: Hospices with a large ratio of long-stay patients will have their care medically reviewed, the legislation adds.

This hospice provision will most likely go into the HHA proposed rule because there isn't time for a hospice payment proposed rule before 2011 rates must take effect in October, Thronset explained.

Watch out: Home care providers can expect to see information about more PPACA-related provisions coming out. "There were a number of provisions in the [PPACA legislation] that affected home care and hospice," Thronset noted. "We are currently analyzing many of these provisions to determine the specifics with regards to how the provisions will ultimately be implemented."

In many cases, CMS will issue a proposed rule for new requirements. That means HHAs can expect the 2011 PPS proposed rule to be a doozy this year, observers predict. Right now CMS is predicting to issue that rule in August, but that date is subject to change.