

## Eli's Hospice Insider

### Reader Question: You Won't Get Off The NOE Timely Filing Hook For Your Own Billing Delays

**Hospice argues it is processing time, not its own billing, that's to blame.**

**Question:** Why do some of our RTP'd Notices of Election qualify for exceptions and some don't?

You may get a clue from a recent question-and-answer set from HHH Medicare Administrative Contractor **Palmetto GBA**. "We have had some NOEs that have RTP'd due to untimely filing," a hospice told Palmetto, according to Hospice Coalition meeting Q&As released last month. "The situation is usually a previous provider discharged the patient and then our hospice admitted them. We have filed for exceptions and have been approved for some and denied for some. The factor that appears to determine the approval/denial is whether the prior hospice was a different provider or our provider. The explanation we received on the denials when it is our provider is 'the provider should have submitted the Notice of Termination (NOTR)/NOE timely.' The NOTR is filed timely but it is taking too long to process in the CWF before an NOE can be processed for the subsequent admission. Why does it matter whether it is the same provider or a different provider? The issue is with the processing time of the NOTR and subsequent NOE in the CWF, which cannot be controlled by providers."

**Answer:** Palmetto insists that "a hospice has control of their billing. If it is the same hospice, they must bill following sequential billing guidelines and the 5-day billing election/revocation regulations. Therefore, the NOTR or final claim must be filed on or before the date the readmission NOE is filed. Hospices can file an NOTR as early as the day after revocation/discharge (providers may not want to file on the date of discharge in case the patient returns later that day) to help eliminate late filing issues if there is a readmission in the future."