

## Eli's Hospice Insider

### Regulations: Use This New ABN Starting Jan. 1

#### Do you know when to issue the ABN -- and when not to?

Be sure your paperwork is up to date or risk noncompliance. Beginning Jan. 1, hospices must use the new 2011 version of their Advance Beneficiary Notice (form CMS-R-131).

The **Centers for Medicare & Medicaid Services** originally set the implementation date for the new ABN form for Sept. 1, but the agency extended the deadline to Jan. 1 "to permit providers and suppliers with pre-printed stockpiles of ABNs time to exhaust their supplies," the agency says in a message to providers.

The switch shouldn't bring any big changes to your organization. "The 2008 and 2011 ABN notices are identical except that the release date of '3/11' is printed in the lower left hand corner of the new version," CMS points out.

What will happen? "ABNs issued after Sun. Jan 1 that are prepared using the 2008 version of the notice will be considered invalid by Medicare contractors," CMS warns. "2008 versions of the ABN that were issued prior to Sun. Jan 1 as long-term notification for repetitive services delivered for up to one year will remain effective for the length of time specified on the notice."

Remember that ABNs are not required when the patient revokes the hospice benefit, transfers to another provider, or receives services unrelated to the terminal illness, the **National Hospice and Palliative Care Organization** reminds hospices in a tip sheet regarding when to issue ABNs. And while ABNs aren't required for respite care exceeding five days, "providers are encouraged to give the ABN as a voluntary notice in these cases," NHPCO advises.

Note: A copy of the 2011 version of the ABN (form CMS-R-131) is online at [www.CMS.gov/BNI](http://www.CMS.gov/BNI), under the "FFS Revised ABN" link. NHPCO's ABN guideline sheet is at [www.nhpc.org/files/public/regulatory/Hospice\\_ABN\\_vs\\_ED.pdf](http://www.nhpc.org/files/public/regulatory/Hospice_ABN_vs_ED.pdf).