

## Eli's Hospice Insider

### Reimbursement: Medicare Cracks Down On Hospice Drugs

#### **Analgesics presumed to be related to terminal illness in latest initiative.**

Don't be surprised if Part D drug plans come knocking on your door for reimbursement.

**Why?** The **Centers for Medicare & Medicaid Services** has sent a memo to Part D plans, instructing them to recover payment for analgesic drugs furnished to hospice patients, reports the National Association for Home Care & Hospice.

CMS told the plans that "... for the purposes of this recovery effort only, we presume that all the drugs were used for the palliation and management of the terminal illness and/or related conditions," according to NAHC. "They are, therefore, considered to be related to hospice care and thus a case-by-case analysis to determine relatedness is not required. Since the drugs were the payment responsibility of the Medicare hospice, the PDE reflects an overpayment that should be recovered from the hospice."

In its hospice 2014 payment final rule published in the Aug. 7 Federal Register, CMS accused hospices of trying to shirk their financial responsibilities for drugs. In 2010, 15 percent of hospice beneficiaries enrolled in Part D racked up \$13 million in analgesic meds, most notably fentanyl at 39 percent, the final rule noted (see Eli's Hospice Insider, Vol. 6, No. 10).

NAHC is "concerned about CMS' blanket statement that all analgesics are presumed related to the terminal (or a related) diagnosis and instruction that case-by-case analysis to determine relatedness is not necessary," the trade group says.