

MDS Alert

Medicare Coverage: Time To Get Your 3-Day Hospital Stays In A Row

Does your SNF have a system in place to validate that new admissions have had a bona fide three-day prior hospital stay within the previous 30 days? The **Centers for Medicare & Medicaid Services** decided against collecting overpayments on this issue from SNFs. But the agency recently published a MedLearn Matters article reminding providers of the requirement. "The length of this hospital stay cannot include the day of discharge, and moreover, cannot count any emergency department or other outpatient observation in the inpatient stay calculation," the article states.

"The government's initial decision not to recoup the money for invalid stays (due to lack of the preceding three-day stay) is part of its whole progressive discipline, which starts with broad publicity and education," says Baltimore attorney **Howard Sollins**. "You see the same approach with HIPAA enforcement and encouraging providers to have corporate compliance plans," Sollins notes. **Watch Out:** Once CMS highlights a problem and provides education on the issue, the government has a stronger case when they go after providers, Sollins cautions.