

OASIS Alert

Hospice: KNOW YOUR PATIENTS' RIGHTS: DOES YOUR HOSPICE NOE PASS MUSTER?

Don't let these four common errors trip up your claims.

Are you sure your notice of election statement covers all the bases? The **Office of Inspector General's** (OIG) Fall 2009 report found that that 33 percent of the hospice claims it examined didn't meet notice of election requirements. Make sure you're not missing one of the five vital pieces of information that your NOE must cover.

Know The Five Rights

Your NOE statement must contain the following information -- sometimes called the "five rights of hospice patients"-- according to the publication "Hospices Alerted to the Importance of a Valid Notice of Election for the Medicare Hospice Benefit" from Milwaukee-based

Reinhart Boerner Van Deuren Attorneys at Law:

- Identification of the particular hospice that will provide care to the individual.
- The individual's acknowledgement that he or she has been given a "full understanding of the palliative rather than curative nature of hospice care, as it relates to the individual's terminal illness."
- Acknowledgement that certain Medicare services are waived by the election.
- The effective date of the election, which may be the first day of hospice care or a later date, but may be no earlier than the date of the election statement.
- The dated signature of the individual (or the individual's authorized representative if the individual is incapacitated).

Avoid Four Common Errors

While your NOE statement doesn't need to conform to any specific format, it must contain all the required elements in a clearly understandable fashion to be considered valid, **Palmetto GBA** advises in the article "Common Technical Hospice Medical Review Denials and How to Avoid Them."

Tip: If the acknowledgement of understanding of hospice care or the acknowledgement of waiving of the certain Medicare benefits fall on different pages, send in both pages to medical review to support a valid NOE statement, Palmetto suggests.

Palmetto's article lists the following common problems with NOE statements:

- No statement indicating the beneficiary fully understands the palliative rather than curative statement of the hospice benefit present in the medical record sent for review.
- No effective date present in the medical record sent for review.
- No waiver of certain Medicare benefits present in the medical record sent for review.
- The hospice belongs to a corporation or some other entity that has a different name, but the name of the particular hospice providing care isn't on the signed statement.

