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NURSING HOME UPDATE

Recently the Centers for Medicare and Medicaid Systems (CMS) issued new instructions with regard to skilled nursing facility (SNF) Consolidated Billing and Durable Medical Equipment (DME) provided by DMEPOS suppliers. The transmittal clarifies the requirements for claims for DME and capped rental DME.

DME

As stated in the transmittal, DME benefits can be claimed only for items a beneficiary is using in his or her home. The transmittal specifically states that "a hospital or SNF cannot be considered a patient's home for purposes of the DME benefit." Accordingly, Medicare does not make separate payment for DME when a beneficiary is in a hospital or SNF. Please note that this coverage restriction does not apply to coverage under Medicare Part B benefits for Prosthetics, Orthotics, and Supplies.

Capped Rental DME

There are special billing rules for capped rental DME items when the beneficiary spends part of the month in a SNF, and part of the month in his or her home. In accordance with these rules, Medicare will make separate payment for a full month for such DME items when a beneficiary was in his or her home on the "anniversary date," which is defined as the date of delivery (the "from" date) on the first claim. (For example, if the first date of delivery is June 15, the "anniversary date" is the 15th of every month, and all subsequent bills must be dated on the 15th of the following months.) If the beneficiary is at home on the

“anniversary date,” Medicare will make payment for the DME for the entire month. Medicare will not make a DME payment if the beneficiary is in an SNF for a full month. DME payment will be made on the date of discharge from a covered Part A SNF stay. The date of discharge from the SNF becomes the new “anniversary date.” for DME billing purposes. Please note that payment for maintenance and servicing of capped rental items must continue regardless of whether the beneficiary is in a SNF on the date of service.

Access the complete text of Transmittal 222 at: http://www.cms.hhs.gov/manuals/pm_trans/R222CP.pdf or Section 211 of Chapter 20 - Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) of the Medicare Claims Processing Manual.

If you would like additional information or have any questions, please feel free to contact Patrick Formato, Barbara Phair or any of the other attorneys in our Health Law Department at (516) 328-2300.

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