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## SKILLED NURSING FACILITY UPDATE

### Sample Contracts Regarding The Arrangement Between a Skilled Nursing Facility ("SNF") and a Supplier for Services Subject to Consolidated Billing

We are writing to inform you that the Centers for Medicare and Medicaid Services (CMS) recently published sample contracts, documentation and communication tools regarding the arrangement between a Skilled Nursing Facility (SNF) and a supplier for services subject to consolidated billing.

**CMS does not require use of the sample documents.** Rather, the documents are made available to provide direction and guidance.

A list of the sample documents on the CMS website are as follows:

- ▶ "Under Arrangement" Agreement Between SNF and Supplier (Sample Agreements 1 and 2), which provide terms for a basic ongoing arrangement between a SNF and a supplier.
- ▶ Weekly Part A Beneficiary Service Log (Sample Notification 1), which can be used by the SNF as a record of ordered services.
- ▶ SNF's Request for Ambulance Transportation For a Beneficiary in a Medicare Part A Stay (Sample Notification 2), which a SNF can provide to an ambulance service transporting a beneficiary.
- ▶ SNF's Notice to a Physician Treating a Beneficiary in a Medicare Part A Stay (Sample Notifications 3, 4 and 5), which a SNF can provide to a physician or other practitioner treating a beneficiary.
- ▶ SNF's Notice to a Hospital Treating a Beneficiary in a Medicare Part A Stay on an Outpatient Basis (Sample Notifications 6 and 7), which a SNF can provide to a hospital treating a beneficiary on an outpatient basis.

The website also provides **Consolidated Billing Claims Processing Instructions** in the form of a flowchart that walks a SNF through basic steps of processing a claim as well as consolidated billing concerns. CMS also clarifies that the absence of an agreement--written or verbal--does not relieve the SNF of its overall responsibility to furnish directly or make arrangements for all services that are subject to the consolidated billing requirement.

If you have any questions or require additional information, please feel free to call Patrick Formato, Esq. or the other attorneys in our Health Law department at (516) 328-2300.

The sample contracts are available on the CMS website at: [http://www.cms.hhs.gov/snfpps/08\\_bestpractices.asp](http://www.cms.hhs.gov/snfpps/08_bestpractices.asp).