



IHO Update

Bi-weekly News for Hospice Professionals in Iowa

September 19, 2008

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Hospice Grassroots Push Needed Now to Stop Cuts!

Congress is expected to adjourn in two weeks—almost the same time that the phased implementation of hospice Medicare rate cuts are scheduled to begin, October 1. To prevent the cuts, hospices must make a strong grassroots push to educate that the impending Medicare rate cuts by CMS will have a devastating impact at the bedside.

Late last week, Senator Tom Harkin co-sponsored a bill in the Senate (S. 3484) that would protect hospices from reimbursement cuts during this fiscal year. A companion bill (H.R. 6873) has also been introduced in the House.

All hospices are urged to contact their Congressional Delegation in support of S.3484 and H.R. 6873 to ensure that the provisions are included in whatever business that Congress acts upon before adjourning. An e-mail notice was sent to all directors of IHO member hospices earlier this week requesting this action.

To easily contact your Congressmen, utilize this [online system](#) that will help you formulate your letter and send it in under 5 minutes. Please forward this information and encourage other hospice advocates to utilize the system as well. Large numbers of contacts will speak volumes on this issue, and time is of the essence!

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Iowa Board of Nursing Terminates Notice of Proposed Amendments and Rescinds 2007 Position Statement on Propofol

The Iowa Board of Nursing has terminated its notice intended action to amend Chapter 6 in the Iowa Administrative Code, “Nursing Practice for Registered Nurses/Licensed Practical Nurses” and a previous position statement on the use of Propofol. The proposed amendment would have prohibited a registered nurse (RN) and an advanced registered nurse practitioner (ARNP), with the exception of a certified registered nurse anesthetist (CRNA), from administering anesthetic agents, e.g. Propofol, Brevitol, Ketamine and Etomidate, during any operative, invasive or diagnostic procedure in any type of setting.

IHO and other organizations such as the Iowa Hospital Association, the Iowa Chapter of the American College of Emergency Physicians (ACEP), the Iowa Emergency Nurses Association articulated a great deal of opposition to the proposed rule through formal written comments and a public hearing.

IHO’s comment letter (attached) in opposition to the proposed rule primarily focused upon the prohibition on the administration of Propofol or Ketamine, both of which have indications for intractable pain when more traditional methods of pain management are ineffective or for sedation at the end-of-life such as for the removal of a ventilator. While these medications are not frequently used in hospice and palliative care, they are necessary and useful tools in providing pain management at the end-of-life. IHO argued that hospice nurses do not use these medications “as anesthetic agents during operative, invasive, or diagnostic procedures.” Rather, hospice nurses across the state have administered Ketamine and Propofol for pain control or sedation when other methods are ineffective. The key distinction is the desired effect specific to the patient’s need.

After terminating the proposed rulemaking procedure and a position statement on Propofol on September 11, the Board of Nursing stated that they will review all of public comments they received before determining whether further action will be taken.

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Medicare Secondary Payer Payment Concern

IHO has recently been made aware of claims processing issues in regard to Medicare supplemental or secondary insurance carriers. The secondary carriers are paying a portion of the difference between Medicare reimbursement and charges from the hospice, and sending an explanation of benefits to the patient that the difference is the patient’s responsibility.

CMS has sent Change Request 5567 to all carriers that have a Coordination of Benefits Agreement with CMS to recognize Medicare payment as payment in full. The carriers were instructed to discontinue any notification that a covered member has any payment responsibility.

If your hospice has received payments erroneously, return the money and send a copy of the alert below.

Alert Regarding Information Included on 837 Institutional Hospice Claims

As you may know, Medicare currently reimburses hospice providers using an all-inclusive per diem rate. Through this communication, the Centers for Medicare & Medicaid Services (CMS) is alerting all Coordination of Benefits Agreement (COBA) trading partners that, effective with July 2008, CMS is requesting that hospice providers include separate break-outs for visits, as expressed by revenue codes 55X, 56X, and 57X, in association with their hospice claims (types of bills 81X and 82X). These changes are addressed through Transmittal 1494, change request 5567 (attached). COBA trading partners should note that, for types of bills 81X and 82X, CMS’s Part A contractors will always deny claim lines containing revenue codes 55X, 56X, and 57X using reason code 97—

"The benefit for this service is included in the payment/allowance for another service/procedure that has already been adjudicated." In addition, this denial reason code will always be associated with Claim Adjustment Group Code "CO" (contractual obligation; provider liable for services) on outbound 837 institutional crossover claims.

The CMS has reviewed several examples of supplemental payment notices that erroneously reflect the aforementioned denied revenue codes as being member responsibility. In this vein, CMS urgently requests that all COBA trading partners effect systematic changes to ensure that 1) they no longer make supplemental payment on denied revenue codes 55X, 56X, 57X in association with hospice claims (types of bills 81X and 82X); and 2) their communications to providers and their covered members cease indicating that the member has payment responsibility for such services.

Should you have questions regarding this communication, contact your designated CMS COBA representative.

Thank you.

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Fax # 646-458-6761

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Quality Partners Conference Call Update

The minutes of the September 16 conference call on Patient and Family Centered Care are available on the IHO Web site.

The next Quality Partners conference call will cover Clinical Excellence and Safety, and will be held from 10:00 to 11:00 a.m. on Tuesday, September 16. The dial in number is 1-800-882-3610 and the pass code is 0884227. Online registration is available for this and future Quality Partners conference calls: www.iowahospice.com.

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Hospice Resources Available Online

The Center to Advance Palliative Care (CAPC) offers many resources for hospices including sample contracts for nursing facilities and hospitals. All hospices may find these free resources at the CAPC Web site at www.capc.org under the tools tab and then by clicking on hospital/hospice tools. A link to this Web site as well as other useful information is available under the resources tab on the IHO Web site at www.iowahospice.org.

As with all sample contracts, IHO recommends each hospice have their own legal counsel review individual contracts.

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Medicare Learning Network Unavailable During System Upgrades

The Medicare Learning Network's (MLN) Learning Management System (LMS) that hosts Web-based training courses and product ordering page will be unavailable for a period of approximately 7

to 10 days starting the week of September 22, 2008 while system maintenance and upgrades are performed. If you need MLN products or need to complete a Web-based training course, it is recommended that you do so before September 17, 2008.

Questions may be directed to MLN@cms.hhs.gov.

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Hospice Chaplain Pens Book of Devotions

Peace in the Valley is a collection of 30 short devotions to provide comfort, strength, hope, peace and guidance for hospice patients and their families. These devotions are designed to guide the patient through the end-of-life journey and help them cope with their circumstances in a constructive, joyous, and faith-filled way. The book encourages hospice patients to give of their gifts, talents and wisdom while leaving a beautiful legacy of love to their families. A scripture verse, short devotional thought and a prayer are included in each of the 30 devotions.

The author of *Peace in the Valley*, Kay Singley, currently serves as chaplain with Mercy Hospice at Mercy Medical Center in Centerville and is also a pastor.

Books may be ordered from Advantage Books www.advbookstore.com or by calling 1-888-383-3110.

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New Web Site Offers Hospice Jobs Across United States

[Hospice Careers](#), a new web site launched recently, allows visitors to search for jobs in hospice across the United States. Searches may be performed based on job type or location.