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SunSolutions **SPOTLIGHT** News Break

News on the Hill

On Friday, December 23, 2011, the President signed *The Temporary Payroll Tax Cut Continuation Act of 2011*. The current therapy cap exceptions process and Medicare fee schedule will continue until February 29, 2012.

December 19, 2011, CMS Update: CMS To Hold Service Claims for 10 days Beginning January 1, 2012

The negative update under current law for the 2012 Medicare Physician Fee Schedule is scheduled to take effect on Sun Jan 1, 2012. Consequently, as on numerous occasions in the past, CMS will instruct its Medicare claims administration contractors to [hold claims containing 2012 services](#) paid under the Medicare Physician Fee Schedule for the first 10 business days of January 2012 (i.e., Sun Jan 1 through Tue Jan 17).

CMS states that the hold should have minimal impact on provider cash flow because, under current law, clean electronic claims are not paid sooner than 14 calendar days (29 days for paper claims) after the date of receipt. Medicare Physician Fee Schedule claims for services rendered on or before Sat Dec 31 are unaffected by the 2012 claims hold and will be processed and paid under normal procedures and time frames.

The Administration further stated that it is disappointed that Congress has failed to pass a solution to eliminate the sustainable growth rate (SGR) formula-driven cuts, and has put payments for health care for Medicare beneficiaries at risk. CMS continues to urge Congress to take action to ensure these cuts do not take effect.

CMS will notify providers on or before Wed Jan 11, 2012, with more



Corporate Compliance Review

Be Proactive...

With ever increasing regulatory transparency and the recent OIG activities for facility audits, now more than ever it is important to have an effective compliance program. Did you know that an effective compliance program can reduce fines under federal sentencing guidelines?

Be Sure...

SunSolutions offers peace of mind by assisting your facility in development and oversight of a Corporate Compliance program. SunSolutions Corporate Compliance products are customized and designed to address areas of high risk.

On-site in depth risk

information about the status of Congressional action to avert the negative update and next steps regarding the claims hold.

SunSolutions encourages all clients and subscribers to remain alert to any legislation that may be adopted in the coming days/weeks that may impact this latest CMS communication.

CMS Held a November 3rd Provider Training Call

Clarifications from the call are as follows:

1. Clarification regarding use of the term “day of discharge”

Answer: The term “day of discharge” can serve two distinct purposes. The day of discharge may refer to the day the resident leaves the facility, as discussed in Chapter 2 of the MDS RAI manual and as captured within Item A2000 on the MDS. “Day of discharge” may also refer to the resident’s discharge from Medicare Part A, which is captured in Item A2400C on the MDS. As noted in Chapter 2 of the MDS RAI manual, it is possible that these two dates, that is the date of facility discharge and the date of Part A discharge, may not be the same, such as in cases where a resident uses all of his or her 100 entitled SNF benefit days but remains in the facility for some time after that point. It is also possible that the dates listed in A2000 and A2400C may be the same, such as in cases where the resident leaves the facility prior to exhausting their SNF benefit or if the resident were to expire during the course of the stay. Whether or not these two dates overlap is important to understanding the potential billing impact associated with these dates.

As noted in Chapter 3 of the Medicare Benefit Policy Manual, the date of discharge from the facility is a Medicare non-billable day. Therefore, in cases where A2000 (discharge from facility) and A2400C (last day of Medicare Part A stay) are the same, then the last day of the Medicare stay (A2400C) is a Medicare non-billable day. In cases where the resident remains in the facility after exhausting the full Medicare benefit, then the last day of the Medicare stay, which in this case would mean that A2400C would be equivalent to 100th day of the benefit, would be a Medicare billable day. To read more [Click Here](#)

assessment to:

- Billing Practices
- Policies and Procedures
- Personnel and Contractor Records
- Admission/Discharge Data

Be Ready...

When you contact SunSolutions we can provide support and work with your teams in the following areas:

- PPS Analysis
- Medicare Program Training
- MDS/RUG Review and Training
- Final Rule Mitigation Audit and Training
- RAC/ADR Preparation & Analysis
- Operations Assessment
- Case Mix analysis/Training Medicare Institute
- Medicare Compliance and MDS Accuracy Review



Contact Info

Contact SunSolutions Consulting at sunsolutionsconsulting@sunh.com or tollfree - (888) 867 2220 for a listing of products, services or to schedule an educational seminar/ teleconference.

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