



## Medicare Hospital Version

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Caution should be exercised in relying on these materials after this course. There are frequent changes to the various statutes, regulations, and guidelines applicable to the Medicare program. In addition, this notebook contains abbreviated or time sensitive copies of many documents. Links to the current versions of many Medicare statutes, regulations, and guidelines may be found on HCPro's links page:

<https://revenuecycleadvisor.com/helpful-links>

At a minimum, before relying on any documents in this notebook, you should (1) download a current copy of the complete document and (2) confirm that the information provided in the document has not been rescinded, modified, or superseded.

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Kimberly is a Senior Regulatory Specialist for HCPro, Inc. She oversees HCPro's Medicare Boot Camps® and the regulatory content for HCPro's Medicare Propel Advisory Services, including Monthly Watchdog and Ask The Expert services. She develops the content for HCPro's Medicare Boot Camp® – Hospital Version, Utilization Review Version, and Provider-Based Department Version and is an instructor for the Medicare Boot Camp® - Critical Access Hospital Version and Rural Health Clinic Version. She specializes in regulatory guidance on Medicare patient status, coverage, billing, and reimbursement and has been a frequent speaker at national conferences, live events, and webinars.

Kimberly has over 25 years of healthcare experience in varying roles. As a Compliance Officer and In House Legal Counsel, she developed and implemented corporate-wide compliance programs for two hospitals and regularly provided research and guidance on federal and state laws and regulations, including EMTALA, Stark, anti-kickback and anti-inducement laws, fraud and abuse issues, physician recruiting, and coding, billing, and reimbursement issues for a wide-range of hospital services. She has experience conducting compliance audits and internal investigations as well as oversight of expense and payer contracting.

Kimberly earned her Bachelor of Arts degree in Philosophy from Yale University and her Juris Doctor degree from the University of Montana School of Law, where she received the Corpus Juris Secundum Award for Excellence in Contracts. She is licensed to practice law in the state of California<sup>1</sup> and is a member of the California Bar Association. She is also a Certified Professional Coder through the American Academy of Professional Coders.

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<sup>1</sup> No legal services are provided through HCPro, Inc.



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Yvette DeVay is a regulatory specialist for HCPro, Inc. She develops content for HCPro's Medicare Boot Camp® - Physician Services, Appeals and Denials, and Federally Qualified Health Center and is an instructor for the Medicare Boot Camp® -Hospital Version and Critical Access Hospital and Rural Health Version.

Yvette has over 25 years of experience with extensive experience as a Professional/Outpatient Coding Consultant., assisting physician practices with coding integrity, internal audits, charge capture and litigation defense. She has also served as the ICD-10 Project Manager for a State Medicaid Agency. As project manager, she established the implementation schedule, steering committees, and work groups. In addition to her role as Project Manager, she was responsible for department wide ICD-10 awareness and education.

She has extensive knowledge of Medicare coding, billing and compliance issues. She worked with a Medicare Program Safeguard Contractor where she filled the roles of data analyst, policy consultant, and data manager during her employment. At the PSC, she also provided data analysis support for State and Federal law enforcement authorities including the Office of Inspector General. She also developed and presented various educational programs for investigative personnel focusing on coding issues and Medicare regulations/guidelines.

Yvette has also served as an instructor for a local community college, as an internal corporate trainer on matters of coding and Medicare regulations. She has created, developed and authored curriculum focused on Medicare regulations, professional and inpatient coding.

Yvette is accredited as a Certified Professional Coder, Certified Professional Medical Auditor, and a Certified Inpatient Coder by the American Academy of Professional Coders. She holds a Masters of Health Administration from Seton Hall University and a Bachelor of Science in Applied Behavioral Sciences from Pennsylvania State University.



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Amy is an instructor of HCPro's Medicare Boot Camp for Physicians as well as the Medicare Boot Camp – Denials and Appeals version. She has over 25 years of experience in the healthcare industry, including 17 years with a Medicare Unified Program Integrity Contractor. During her work with the UPIC, she held the roles of senior investigator, lead investigator and lead investigations trainer. In these roles she developed successful investigations through extensive policy research and data analysis to identify aberrant billing patterns indicative of fraud, waste, and abuse. As a lead investigator, Amy provided direction to staff on the application of coding, policy, and payment regulations to analytical and investigative findings.

Amy developed and delivered group and one-to-one education on numerous procedural and regulatory topics including documentation, appeals, investigative use of claims processing and provider enrollment systems, Medicare policy research, Medicaid opioid investigation, and Recovery Audit Program. Externally, Amy provided education to Federal Law Enforcement entities regarding skilled nursing facility regulations and Senior Medicare Patrol volunteers on Medicare Fraud Awareness.

Amy is a certified occupational therapy assistant and holds credentials as a Certified Professional Coder and Certified Professional Medical Auditor. She has an Associate of Applied Science in Occupational Therapy Assisting from Pennsylvania College of Technology and a Bachelor of Science in Health Studies from University of Louisiana Monroe.



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Ms. Kares serves currently as an adjunct instructor for HCPro's Medicare Boot Camp® – Hospital Version, Utilization Review Version, Critical Access Hospital Version, as well as Rural Health Clinic Version. In addition, she is a practicing attorney and compliance consultant with more than thirty years of experience representing hospitals, third-party payers and other health care clients in the areas of health care contracting and regulatory compliance. In that capacity, Ms. Kares has been involved in the following:

- Development of comprehensive compliance programs
- Initial and follow-up risk assessments
- Development and implementation of compliance training programs
- Compliance audits and internal investigations
- Research/advice regarding specific risk areas
- Development of corrective action programs

Prior to beginning her current consulting practice, Ms. Kares spent a number of years in private law practice, representing hospitals and other health care clients, and then as in-house legal counsel to Blue Cross and Blue Shield of Arizona (BCBSAZ) and Blue Cross and Blue Shield of the National Capital Area (BCBSNCA) in Washington, D.C. In both in-house positions, she had primary responsibility for contracting and regulatory compliance, including oversight of federal and state health care programs.

Ms. Kares has also been an adjunct faculty member at the University of Phoenix, teaching courses in health care law and ethics. She is an advocate for the use of alternatives to traditional dispute resolution, having participated in the volunteer mediation program in the Justice Courts of Maricopa County, Arizona. Ms. Kares earned her Juris Doctor degree (with high distinction) from The University of Iowa, College of Law and her B.A. (with highest distinction) from Purdue University. Ms. Kares is a frequent speaker at healthcare and related seminars. She is a member of the State Bar of Arizona and the Tennessee Bar Association.



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Ms. Reese graduated Magna Cum Laude from Whittier College School of Law in Los Angeles, after receiving a Bachelor's Degree in Business Administration with an emphasis in Accounting, Magna Cum Laude, from California State University at Los Angeles, and a Nursing degree from Samuel Merritt Hospital School of Nursing in Oakland, California. Ms. Reese specialized in pediatric intensive care, chemotherapy and diabetic care/education at University Hospital in San Diego and Childrens Hospital at Los Angeles (CHLA). She then moved into a position as supervisor in utilization management and quality review at CHLA, overseeing a cadre of nurses performing these tasks, staffing peer review, UM and quality committees at the hospital and drafting and managing policies and procedures for these activities. While attending law school, Ms. Reese accepted a position at Shriners Hospital for Crippled Children, Los Angeles, as the Director of Risk Management, Quality Assurance and Utilization Management.

After completing law school, Ms. Reese provided legal services for 10 years at Hooper, Lundy and Bookman, a boutique health law firm in Century City, California, representing health care providers across the country. For the next 10 years, Ms. Reese worked as Senior Counsel at Kaiser Foundation Health Plan/Hospitals, further broadening her knowledge of health care law to include managed health care, provider contracting, Medicare Advantage (including risk adjustment), revenue cycle, coding, privacy, electronic health records, and many other areas. Ms. Reese then became the Director of Risk Management at an acute care hospital in Southern California for 9 years, and is a Certified Professional Risk Manager through the American Hospital Association. In that capacity, she performed Medicare One Day Stay reviews and supported the Utilization Review Committee.



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Teri Rice is the lead instructor for the HCPro's Medicare Boot Camp – Critical Access Hospital Version and Rural Health Clinic Version (live and online). She also instructs the Medicare Boot Camp – Utilization Review Version and Utilization Review for Critical Access Hospitals Version. She also provides content for HCPro's Medicare Propel Advisory Services, including Monthly Watchdog and Ask the Expert services.

Teri has is a nurse with extensive experience in Compliance. In this position, she assisted an acute care hospital with documentation integrity, internal auditing, charge capturing, and education. She played an active role in software implementation, process improvement, and established a variety of workgroups. She assisted with the new design of a physical therapy software to promote compliance with Federal Medicare Regulations. She has assisted with rule based functionality within electronic health records for accurate charge capturing. She has also presented department specific educational programs to focus specifically on documentation, charging practices, and Medicare regulations.

She has extensive knowledge of Medicare billing and compliance issues. She has developed policies and procedures focused on Medicare regulations to promote compliance. She has collaborated on compliance workplans, internal organizational risks, and root cause analysis.



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Valerie Rinkle is an adjunct instructor for HCPro. She was the lead instructor when she created HCPro's Revenue Integrity and Chargemaster Boot Camp® in 2016. Valerie is president of Valorize Consulting, LLC, a reimbursement and revenue integrity consulting firm. Valerie is also on the National Association of Healthcare Revenue Integrity's Advisory Board. She has over 40 years of experience in the healthcare industry, including 10 years as a revenue cycle director for an integrated delivery system. She has extensive experience with both the inpatient and outpatient Prospective Payment Systems (IPPS, OPSS), Physician, Clinical Laboratory and Durable Medical Equipment Prosthetic and Orthotic Supply Fee Schedules (MPFS, CLFS, DMEPOS) and related coverage, coding, billing and reimbursement issues. She has held the positions of the Reimbursement Manager and Revenue Cycle Director for healthcare systems.

Valerie consults with hospitals, physicians and other healthcare providers and manufacturers on a wide range of revenue cycle and payment issues, including coverage, coding, setting and payment and regarding high-risk compliance areas identified by government program auditors. She has extensive expertise in revenue integrity functions including charge description master reviews and maintenance, charge capture and documentation improvement. She frequently serves as an expert witness.

Valerie holds a master's degree in Public Administration. She is a nationally recognized speaker on a variety of payment system and compliance topics for various organizations and revenue cycle events. Valerie is an active member of the Healthcare Financial Management Association (HFMA) and the National Association of Healthcare Revenue Integrity (NAHRI).

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## Medicare Hospital Version

### KEY CONCEPTS OUTLINE

#### Module 1: Medicare Overview and Contractors

##### I. The Four Parts of Medicare

###### A. Medicare Part A

1. Part A covers inpatient care, including:
  - a. Hospital care at a general acute care hospital, Critical Access Hospital (CAH), Inpatient Rehabilitation Facility (IRF), Inpatient Psychiatric Facility (IPF), or Long Term Acute Care Hospital (LTCH);
  - b. Care at a Religious Nonmedical Health Care Institution;
  - c. Skilled Nursing Facility (SNF) care;
  - d. Home Health (HH) care (under a home health plan of care);
  - e. Hospice care. <Medicare.gov, “What Part A covers” website>
2. These facilities are referred to as “providers” under the Medicare regulations. <42 C.F.R. 400.202>
3. The beneficiary generally doesn’t pay a premium for Part A if they, or their spouse, paid Medicare taxes. <Medicare.gov, “Part A costs” website>
  - a. If an individual doesn’t qualify for premium free Part A benefits, they can purchase them. To purchase Part A, the beneficiary must generally also purchase Part B and may have to meet certain other requirements. <Medicare.gov, “Part A costs” website>
4. Institutional providers bill Part A services to the Medicare Administrative Contractor (MAC) using the UB-04/837I claim format. <Medicare Billing: 837I and Form CMS-1450 Fact Sheet>
  - a. Course note: The MAC is discussed later in this outline. The UB-04/837I format is discussed in a later module.

## B. Medicare Part B

1. Part B covers inpatient, outpatient, and medical care, including:
    - a. Outpatient hospital diagnostic and non-diagnostic (therapeutic) services;
    - b. Certain inpatient hospital services, discussed in a later module;
    - c. Certain SNF<sup>1</sup> and HH<sup>2</sup> services;
    - d. Preventative services provided to inpatients or outpatients;
    - e. Physician and other professional services, including outpatient therapy;
    - f. Ambulatory Surgery Center (ASC) services;
    - g. Independent Diagnostic Testing Facility (IDTF) and Clinical Diagnostic Laboratory services; and
    - h. Durable Medical Equipment (DME). <Medicare.gov, “What Part B covers” website>
  2. These services can be provided by institutional “providers” or “suppliers”, including physicians and other non-institutional providers. <42 C.F.R. 400.202>
  3. The beneficiary generally pays a premium for Part B. <Medicare.gov, “Part B costs” website>
    - a. The beneficiary may purchase Part B, even if they are not eligible for or do not purchase Part A.
- Medicare beneficiaries may have both Part A and Part B or just Part A or just Part B. Enrollment should be verified
4. Institutional providers bill Part B services to the MAC on the UB-04/837I claim format. <Medicare Billing: 837I and Form CMS-1450 Fact Sheet>
    - a. Physicians and other non-institutional suppliers bill Part B services to the MAC using the CMS 1500/837P claim format.

<sup>1</sup> SNF services provided to non-inpatient beneficiaries, provided to beneficiaries not in a covered Part A stay, or excluded from the Part A prospective payment system.

<sup>2</sup> Home Health services provided outside a plan of care.

### C. Medicare Part C

1. Medicare Part C is an alternative to traditional fee-for-service Medicare Part A and B. Private insurance companies offer Part C in the form of Medicare Advantage (MA) plans. <Medicare.gov, “Your Medicare coverage choices” website>
2. MA plans may be Coordinated Care Plans (CCPs), Medical Savings Account (MSA) plans, and Private Fee-for-Service (PFFS) Plans. <Medicare Managed Care Manual, Chapter 1 § 20.1>
  - a. Coordinated Care Plans may take the form of Health Maintenance Organizations (HMOs) that use a network of providers and a primary care provider gatekeeper, Local and Regional Preferred Provider Organizations (PPOs), and Special Needs Plans (SNPs) for institutionalized beneficiaries (I-SNPs), dual eligible beneficiaries (D-SNPs) and beneficiaries with a severe or disabling chronic condition (C-SNPs).
3. MA plans must cover as basic benefits all services traditional Medicare covers, except hospice care, applying coverage criteria that are no more restrictive than traditional Medicare coverage criteria. <42 C.F.R. 422.101(a); 88 Fed. Reg. 22185-200>
  - a. Traditional Medicare covers hospice care for beneficiaries covered by MA Plans, except plans participating in the Value-Based Insurance Design Model with the Hospice Benefit Component. <Medicare.gov, “What Medicare health plans cover” website; cms.gov, “VBID Model Hospice Benefit Component Overview”>

Link: Medicare Advantage Value Based Insurance Design – Hospice Model under Medicare-Related Sites - General
4. MA plans may cover additional services not covered under traditional Medicare as supplemental benefits if they are primarily health related and are not for comfort, cosmetic, or for daily maintenance. <Medicare Managed Care Manual, Chapter 4 § 30.1>
  - a. Examples of supplemental benefits include
    - i. Vision, hearing, dental, or preventative services not covered by Medicare <Medicare Managed Care Manual Chapter 4 § 30.2>;
    - ii. Bathroom safety devices, fitness benefits, health and nutritional education and weight management programs, meals on a temporary basis after surgery or for a chronic condition, over the counter

supplements and drugs, remote access technology such as a nurse hotline, and transportation services. <Medicare Managed Care Manual, Chapter 4 § 30.3>; and

- iii. Services furnished by a different type of provider or in a different setting than basic benefits (i.e., as covered under traditional Medicare). <88 Fed. Reg. 22186-7, 22192, 22195>
- b. MA Plans may make beneficiaries aware of treatment options and settings under their supplemental benefits or encourage specific treatment options as part of the plan’s coordination and management of the care. <88 Fed. Reg. 22195>
- 5. MA plans pay hospitals according to their contract with the hospital or, if they are not contracted with the hospital, they must generally pay the hospital at least the traditional Medicare payment rate. <MA Payment Guide for Out of Network Payments, 4/15/2015 Update>
  - a. Medicare publishes a very helpful guide for payments by MA plans to out of network providers on their “Provider Payment Dispute Resolution for Non-Contracted Providers” website.

Link: Medicare Advantage Out of Network Payment Guide under Medicare-Related Sites - General

#### D. Medicare Part D

- 1. Part D covers prescription drugs for Medicare beneficiaries. Part D plans are designed to cover drugs obtained from a retail pharmacy.
  - a. Part D may cover drugs, not covered under Part B, provided in hospital outpatient departments. If the hospital is not contracted with the Part D plan, the beneficiary may have to request out of network reimbursement from their Part D plan. <How Medicare Covers Self-Administered Drugs Given in Hospital Outpatient Setting>

## II. Medicare Administrative, Program Integrity, and Appeal Contractors

A. The Centers for Medicare and Medicaid Services (CMS) use multiple functional contractors to perform the functions necessary to administer the Medicare program.

### B. Part A/B Medicare Administrative Contractors (MACs)

1. MACs are Medicare contractors who perform all core claims processing functions and act as the primary point of contact for providers and suppliers for functions such as enrollment, education, coverage, billing, processing, redetermination requests, payment, and auditing. <CMS.gov, “What is a MAC” website>

a. MACs publish substantial claims processing, billing, and coding guidance on their websites, including medical review and documentation guidelines, coverage policies, and appeals and audit information.

Tip: Medicare contractors sometimes refer to hospital outpatient services as “Part B of A” or simply Part A outpatient services. Policies and guidance for outpatient services are found on MAC Part A websites even though these services are covered under Part B.

2. There are 12 Part A/B MACs, designated by either a letter or number. <See “Medicare Administrative Contractors (MACs)”, posted 3/28/23; see “A/B Jurisdiction Map”, posted 3/28/23>

In 2010, CMS began consolidating the original 15 MAC jurisdictions (designated by numbers) into 10 consolidated MACs (designated by letters). In 2014, after consolidating 12 jurisdictions, CMS discontinued the consolidation leaving four numbered jurisdictions (J5, J6, J8, and J15).

a. CMS publishes a map with state-by-state contractor information.

Link: Medicare Administrative Contractors (MAC) Jurisdictions under Medicare-Related Sites - General

### C. Recovery Audit Contractors/Recovery Auditors (RAC)<sup>3</sup>

1. CMS identified 4 Part A/B Recovery Audit Jurisdictions (i.e., Regions 1-4). <See “A/B Recovery Audit Program Regions”>
2. CMS contracts with one Recovery Auditor for each jurisdiction, who is paid a contingency fee based on identified overpayments and underpayments. <CMS.gov, “Medicare Fee for Service Recovery Audit Program” website>
3. CMS publishes all proposed and approved audit topics on their website.

Link: Recovery Audit Program, under Medicare-Related Sites - General

### D. Unified Program Integrity Contractors (UPICs)

1. Unified Program Integrity Contractors (UPICs) combine and integrate the functions of the former Zone Program Integrity Contractors (ZPICs), Program Safeguard Contractors (PSCs) and Medicaid Integrity Contractors (MICs). <CMS.gov, Review Contract Directive Interactive Map Page>
2. The UPICs perform integrity related activities (e.g., investigations and audits) associated with Medicare Parts A, B, Durable Medical Equipment (DME), Home Health and Hospice (HH+H), Medicaid, and the Medicare-Medicaid data match program (Medi-Medi) in five geographic jurisdictions. <CMS.gov, Review Contract Directive Interactive Map Page>

In performing fraud and abuse functions, UPIC may:

- Conduct investigations and perform medical review
- Perform data analysis
- Request medical records and documentation
- Conduct interviews with beneficiaries, complainants, or providers
- Conduct site verification or onsite visits
- Identify the need for a prepayment or auto-denial edit
- Share information with other UPICs/ZPICs
- Institute a provider payment suspension
- Refer cases to law enforcement to consider civil or criminal prosecution

<sup>3</sup> CMS uses the terms Recovery Auditor and Recovery Audit Contractor (RAC) interchangeably.

#### E. Comprehensive Error Rate Testing Program Contractor (CERT)

1. CMS contracts with CERT contractors to perform audits to measure the error rate of Medicare paid claims. <CMS.gov, “Comprehensive Error Rate Testing” website>
  - a. The CERT contractor uses a statistically valid random sample of approximately 50,000 claims to determine a national improper payment rate for the Medicare program. <CMS.gov, “Comprehensive Error Rate Testing” website>
  - b. The CERT contractor assigns of improper payment categories:
    - i. No Documentation
    - ii. Insufficient Documentation
    - iii. Medical Necessity
    - iv. Incorrect Coding
    - v. Other
      - a) Examples include duplicate payment error and non-covered or unallowable service

#### F. Supplemental Medical Review Contractors (SMRCs)

1. CMS contracts with SMRCs to perform and provide support for a variety of tasks, including nationwide medical review audits aimed at lowering improper payment rates by conducting reviews focused on vulnerabilities identified by CMS. <CMS.gov, “Supplemental Medical Review Contractor” website>
2. SMRC’s conduct medical reviews selected based upon multiple sources of information including, but not limited to:
  - a. CMS identified vulnerabilities;
  - b. OIG/GAO (Office of Inspector General/Government Accountability Office) identified issues; and
  - c. Comprehensive Error Rate Testing (CERT) Errors. <Medicare Program Integrity Manual, Chapter 1 § 1.3.1>

## G. Quality Improvement Organizations (QIOs)

1. Beneficiary and Family Centered Care QIOs (BFCC-QIOs) manage beneficiary complaints and quality of care reviews, including beneficiary discharge appeals. <CMS.gov, “Quality Improvement Organizations” website; CMS.gov, “Inpatient Hospital Reviews” website; 80 Fed. Reg. 39350-53>
2. CMS contracts with two BFCC-QIOs, KEPRO and Livanta, to provide services in 10 distinct areas designated by CMS. For details, refer to the QIO map included in the materials behind the outline. <See “QIO MAP”>
3. Short Stay Reviews
  - a. One of the QIOs, Livanta, was awarded a national contract to conduct short stay reviews (SSRs) and higher weighted DRG reviews in all QIO jurisdictions.
  - b. Livanta has posted a schedule of the weeks they will request medical records for SSRs in 2024, included in the materials behind the outline.
 

Link: QIO Livanta Provider Resources under Medicare-Related Sites - Hospital
  - c. Livanta has posted “Claim Review Advisors” that address the following topics:
    - i. Guidelines for conducting SSRs;
    - ii. Sampling strategy, strategy for prioritizing claims for review, and a sample medical record request, included in the materials behind the outline; and
    - iii. Clinical scenarios such as chest pain, atrial fibrillation, and congestive heart failure, available on the Livanta Provider Resources page. <Livanta National Claim Review Contractor website>
4. Providers can sign up to receive information from Livanta, including Claim Review Advisors, Provider Bulletins, and other publications.

Link: Livanta Claims Review Advisors under Listserv Subscriptions

## H. Qualified Independent Contractors (QICs)

1. QICs conduct the second level of appeal if the MAC denies the providers first level appeal. <CMS.gov, “Second Level of Appeal: Reconsideration by a Qualified Independent Contractor” website>

### III. Independent Government Entities

#### A. Departmental Appeals Board (DAB)

1. DAB is an agency within the Department of Health and Human Services that provides independent review of disputed decisions in a wide range of Department programs under more than 60 statutory provisions. <DAB Website, Background>
2. The two primary divisions of DAB with respect to Medicare disputes and appeals are:
  - a. Office of Medicare Hearings and Appeals (OMHA);
    - i. The Administrative Law Judges (and attorney advisors) are employed directly by the Office of Medicare Hearings and Appeals (OMHA).
    - ii. ALJs issue third level appeal decisions following an appeal of a decision of the QIC.
  - b. Medicare Appeals Council (often referred to as either “MAC” or the Council)
    - i. The Council provides the final administrative review (fourth level of appeal) of claims for entitlement to Medicare and individual claims for Medicare coverage and payment filed by beneficiaries or health care providers/suppliers appealed from the ALJs.

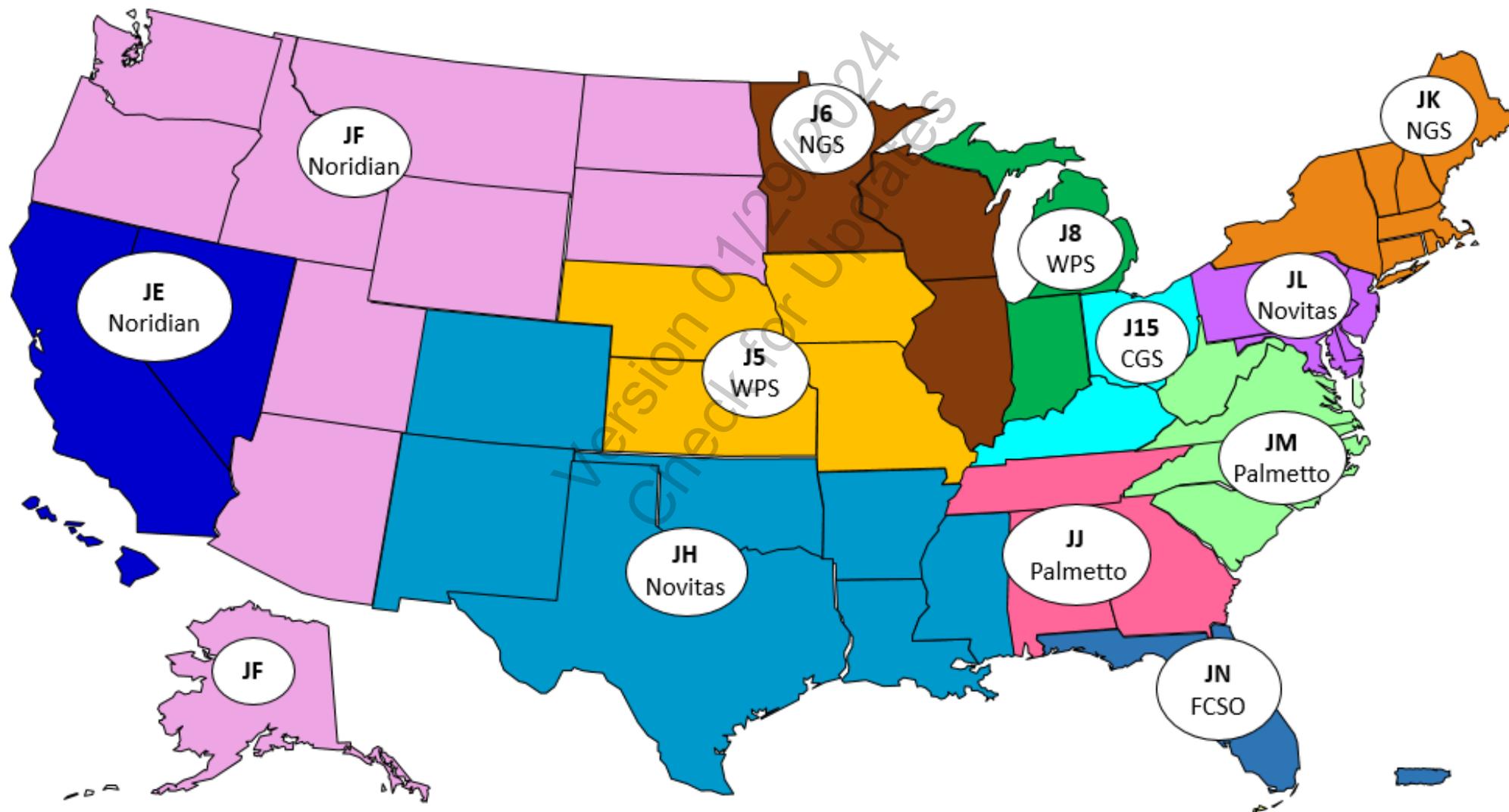
#### B. Department of Health and Human Services Office of Inspector General (OIG)

1. The DHHS OIG is the largest inspector general’s office in the Federal Government, with the majority of their resources directed at oversight of the Medicare and Medicaid programs. <About OIG, HHS OIG website>
2. The DHHS OIG conducts nationwide audits, investigations, and evaluations; publishes an annual work plan of audit activity; provides cost saving and policy recommendations; and develops and distributes resources to assist health care providers with compliance with fraud and abuse laws. <About OIG, HHS OIG website>

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# A/B MAC Jurisdictions

Posted 03/28/23



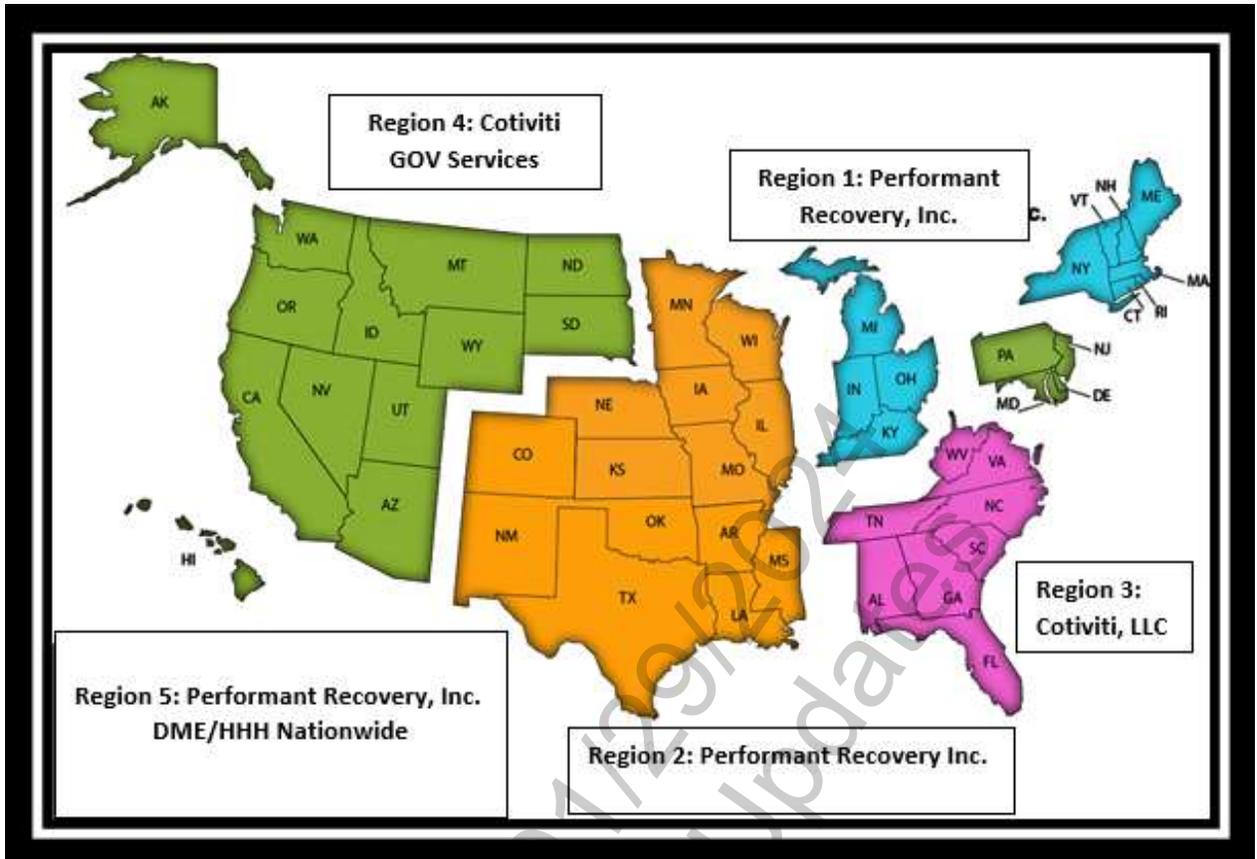
# Medicare Administrative Contractors (MACs)

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Posted 03/28/23

MAC Jurisdiction	Processes Part A & Part B Claims for the following states/territories:	MAC
DME A	Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont	Noridian Healthcare Solutions, LLC
DME B	Illinois, Indiana, Kentucky, Michigan, Minnesota, Ohio, Wisconsin	CGS Administrators, LLC
DME C	Alabama, Arkansas, Colorado, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, Puerto Rico, U.S. Virgin Islands	CGS Administrators, LLC
DME D	Alaska, Arizona, California, Hawaii, Idaho, Iowa, Kansas, Missouri, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming, American Samoa, Guam, Northern Mariana Islands	Noridian Healthcare Solutions, LLC
5	Iowa, Kansas, Missouri, Nebraska	Wisconsin Physicians Service Government Health Administrators
6	Illinois, Minnesota, Wisconsin <b>**HH + H for the following states:</b> Alaska, American Samoa, Arizona, California, Guam, Hawaii, Idaho, Michigan, Minnesota, Nevada, New Jersey, New York, Northern Mariana Islands, Oregon, Puerto Rico, US Virgin Islands, Wisconsin and Washington	National Government Services, Inc.
8	Indiana, Michigan	Wisconsin Physicians Service Government Health Administrators
15	Kentucky, Ohio <b>**HH + H for the following states:</b> Delaware, District of Columbia, Colorado, Iowa, Kansas, Maryland, Missouri, Montana, Nebraska, North Dakota, Pennsylvania, South Dakota, Utah, Virginia, West Virginia, and Wyoming	CGS Administrators, LLC
E	California, Hawaii, Nevada, American Samoa, Guam, Northern Mariana Islands	Noridian Healthcare Solutions, LLC
F	Alaska, Arizona, Idaho, Montana, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming	Noridian Healthcare Solutions, LLC
H	Arkansas, Colorado, New Mexico, Oklahoma, Texas, Louisiana, Mississippi	Novitas Solutions, Inc.
J	Alabama, Georgia, Tennessee	Palmetto GBA, LLC
K	Connecticut, New York, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont <b>**HH + H for the following states:</b> Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont	National Government Services, Inc.
L	Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania (includes Part B for counties of Arlington and Fairfax in Virginia and the city of Alexandria in Virginia)	Novitas Solutions, Inc.
M	North Carolina, South Carolina, Virginia, West Virginia (excludes Part B for the counties of Arlington and Fairfax in Virginia and the city of Alexandria in Virginia) <b>**HH + H for the following states:</b> Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, and Texas	Palmetto GBA, LLC
N	Florida, Puerto Rico, U.S. Virgin Islands	First Coast Service Options, Inc.

\*\*Also Processes Home Health and Hospice claims



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# Livanta National Medicare Claim Review Contractor

## Short Stay Review

Formerly known as the "Two-Midnight Rule Review," claim reviews for short hospital stays focus on the claims submitted by providers when a patient was admitted to the hospital as an inpatient but discharged less than two days later. Inpatient admissions are generally payable under Part A if the admitting practitioner expects the patient to require a hospital stay that crosses two midnights and the medical record supports that reasonable expectation.

Through the CMS claim review activity, reviewers at Livanta obtain and evaluate the medical record to ensure that the patient's admission and discharge were medically appropriate based on the documentation of the patient's condition and treatment rendered during the stay, and that the corresponding Part A Medicare claim submitted by the provider was appropriate.

Short Stay Review Department: 844-743-7570

Livanta samples Short Stay claims on a monthly basis. For sampled claims, Livanta requests the corresponding medical records and completes the Short Stay review. The dates below are the weeks Livanta plans to request medical records for SSR sampled claims through 2024. **Please note that 11/07/22 is a revised date.**

10/04/2021	06/06/2022	1/2/2023	7/3/2023	1/2/2024	7/1/2024
11/01/2021	07/04/2022	2/6/2023	8/7/2023	2/5/2024	8/5/2024
12/06/2021	08/01/2022	3/6/2023	9/4/2023	3/4/2024	9/2/2024
01/03/2022	09/05/2022	4/3/2023	10/2/2023	4/1/2024	10/7/2024
02/07/2022	10/03/2022	5/1/2023	11/6/2023	5/6/2024	11/4/2024
03/07/2022	<b>11/07/2022</b>	6/5/2023	12/4/2023	6/3/2024	12/2/2024
04/04/2022	12/05/2022				
05/02/2022					

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# THE LIVANTA CLAIMS REVIEW ADVISOR



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## Short Stay Review - Sampling Strategy

### Decreasing Medicare's Paid Claims Error Rate

A primary objective of the Medicare claim review services contract is to work toward decreasing Medicare's paid claims error rate and protecting the Medicare Trust Fund. Livanta developed the Improper Payment Reduction Strategy (IPRS) as a tool to accomplish this important objective. The IPRS outlines the strategy Livanta uses to sample claims for short stay review (SSR). As a living document, Livanta updates the IPRS annually and incorporates empirical findings from the SSR reviews finalized during the previous year.

#### **BFCC-QIO Authority to Conduct Claim Review**

*"The BFCC-QIO shall conduct 'Short Stay Reviews' per 42 CFR 412.3, 42 CFR 405.980, and Hospital Outpatient Regulations and Notices (OPPS) and inpatient prospective payment system (IPPS) rules including annual updates, revisions and amendments as published in the Federal Register. These reviews should be conducted on a sample of Medicare post-payment Part A claims for appropriateness of inpatient admission under the Agency's Two Midnight Rule for acute care inpatient hospitals, long-term care hospitals, and inpatient psychiatric facilities."*

FY 2016 OPPS Final Rule, CMS-1633-F, effective January 1, 2016.

### SSR Sampling Strategy and Claims Weighting

As noted above, Livanta's recently updated IPRS was informed by completed SSR reviews. The prior year of completed SSR reviews provided actual data to move into evidence-based sampling. This approach applies the use of historical data to identify (1) diagnosis related groups (DRGs) most likely to be paid in error and (2) providers with high claims and payment amounts and/or high denial rates. The details of the methodology are described below.

#### **Sampling Prioritization Scores**

Sample prioritization scoring is a statistical process approved by the Centers for Medicare & Medicaid Services (CMS) in which individual components of short stay claims are weighted. The resulting weights are grouped into sampling strata based on their estimated relative risk of improper payment.

Higher priority strata are sampled at higher rates than lower priority strata. The ongoing review outcomes inform subsequent weighting and strata assignment.

Livanta devised a flexible approach that involves a compensatory prioritization system for targeted sampling. This strategy was employed successfully during the first year of SSR reviews and consisted of four components: (1) volume by CMS Certification Number (CCN); (2) cost; (3) clinical risk; and (4) length of stay. The findings from the first year of SSR reviews were published in the March 2023 Claims Review Advisor and can be found here:

<https://conta.cc/3zfHHha>

Livanta's updated IPRS retains the compensatory prioritization system for selecting SSR claims likely to be in error with a few slight modifications. The components of volume, clinical risk, and length of stay remain, but cost did not prove to be predictive. Therefore, the updated prioritization system consists of three components as shown below, based on empirical findings and CMS direction.

**Table 1: SSR Compensatory Score**

Component	Score = 1	Score = 2	Score = 3
Volume by CCN	Low volume/growth	Medium volume/growth	High volume/growth
Clinical Risk	Low risk by DRG	Medium risk by DRG	High risk by DRG
Length of Stay	Low risk by LOS	Medium risk by LOS	High risk by LOS

### Sampling Components

- Volume by CCN – hospitals submitting the most inpatient short stay claims and hospitals with the highest volume growth of short stay claims are prioritized
- Clinical risk – analysis of the DRGs most often denied informed this category for ranking the DRGs as high, medium, or low risk of improper payment
- Length of stay – analysis of LOS using both the inpatient admission date as well as the from date on the claim informs this risk component

### Sample and Extrapolation Adjustments

Unless the total listing of eligible claims (the population) is sufficiently large, there will be times when the allocated number of claims for each stratum will not be met by the number of claims that are eligible for sampling from the designated strata. Under those conditions, the additional claims are selected from the higher priority strata, in concert with the stated goals of the IPRS.

# Hospital Samples



When a hospital has had at least 30 claims sampled and reviewed over a rolling 3-month period, those claims are aggregated to form a hospital-specific report of review findings that is sent to the hospital. The report is a summary of information the hospital has already received during the course of the monthly claims review process and includes identified areas for educational intervention where findings warrant. For subsequent reports, only aggregates of at least 30 newer claims will be used and presented such that information about errors is allowed to age out of each hospital-based report.

The process of accruing monthly review results over time helps to identify hospitals with higher error rates. Livanta is selecting targeted 30-claim provider samples each month to trend hospitals' performance and tailor education, in line with CMS priorities for hospital education.

## What Can Hospitals Expect?

Hospitals can expect to receive medical record requests by fax or mail for sampled short stay claims at the beginning of each month. These sampled claims will be reviewed for the appropriateness of inpatient admission under Medicare's Two-Midnight Rule. The greater the number of short stay claims that a hospital submits, the higher the likelihood that some of their claims will be sampled and reviewed.

These requests will be addressed to the medical record contact the hospital has designated in the Memorandum of Agreement (MOA) effectuated with Livanta. If a hospital has multiple claims sampled in a month, the medical record requests will be transmitted in one package.

The dates hospitals can expect to see SSR medical record requests are published on Livanta's website:

[https://livantagio.com/en/ClaimReview/Review\\_Types/ssr.html](https://livantagio.com/en/ClaimReview/Review_Types/ssr.html)

An example SSR record request template is shown below so that hospitals become familiar with identifying them.

Figure 1: Example SSR Record Request

 <p><b>Quality Improvement Organizations</b> Sharing Knowledge, Improving Health Care. CENTERS FOR MEDICARE &amp; MEDICAID SERVICES 10820 Guilford Road, Suite 202</p>	 <p><b>LIVANTA</b> From practical innovations to results. Annapolis Junction, MD 20701-1105</p>		
<p><b>Date</b></p>			
<p><b>Contact Name</b>, Medical Record Department <b>Provider Name</b> <b>Provider Address</b> <b>City, State, Zip</b></p>			
<p><b>Initial Medical Record Request for Short Stay Review</b></p>			
<p>Livanta LLC is the Quality Improvement Organization (QIO) authorized by the Medicare Program to review services provided to Medicare patients. Federal guidelines (42 CFR 480.111) indicate that a QIO is authorized to have access to and obtain medical records and information pertinent to the health care services furnished to Medicare patients.</p>			
<p>Please forward a complete copy of the medical record requested below to Livanta. The medical record must be received by Livanta as soon as possible, but no later than <b>DUE DATE IN BOLD [30 days from date of request]</b>.</p>			
<p>For questions call the Short Stay Review Department at 844-743-7570.</p>			
<p>Please submit the following medical record in its entirety:</p>			
<b>QIO ID:</b>	<b>QIO ID</b>	<b>EMR Key:</b>	<b>EMR Key</b>
<b>Provider ID:</b>	<b>Provider ID</b>	<b>Provider Name:</b>	<b>Provider Name</b>
<b>Patient Name:</b>	<b>Bene Name</b>	<b>Date of Birth:</b>	<b>DOB</b>
<b>MBI/HICN:</b>	<b>MBI HICN</b>	<b>Medical Record #:</b>	<b>Medical Record #</b>
<b>Admit Date:</b>	<b>Admit Date</b>	<b>Discharge Date:</b>	<b>Claim Thru Date</b>
<p>In compliance with 42 CFR § 476.78 (b)(2)(ii)(A), providers are required to submit medical records to the QIO electronically. If you are unable to submit using one of the methods below, please call Livanta's technical assistance line at 240-712-4300 x 2998.</p>			
<p>1. <b>Direct Secure Messaging.</b> Direct Secure Messaging can be performed inside many electronic medical record (EMR) systems. Direct Secure Messaging is <b>NOT email</b>. Medical records may be transmitted to Livanta through Direct Secure Messaging at this address: <a href="mailto:giossr@direct.livanta.com">giossr@direct.livanta.com</a> (This is not an email address)</p>			
<p>2. <b>Livanta File Transfer Portal.</b> Providers can upload medical records as a .PDF file through a portal application via <a href="https://livantagio.com/en/ClaimReview/Medical_Records/e-lift.html">https://livantagio.com/en/ClaimReview/Medical_Records/e-lift.html</a> by clicking on the e-LiFT portal button. To ensure secure transmission, providers must enter the QIO ID and the unique EMR Key supplied above before uploading any medical documentation.</p>			
<p>3. <b>esMD.</b> urn:oid 2.16.840.1.113883.13.34.110.1.500.17 (for more information on esMD, see <a href="http://www.cms.gov/esMD">www.cms.gov/esMD</a>)</p>			

## Questions?

Should you have questions, please email

[ClaimReview@Livanta.com](mailto:ClaimReview@Livanta.com)

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