



News Flash – News Flash – The Centers for Medicare & Medicaid Services (CMS) announces that two new section pages have been created on the 2009 Electronic Prescribing (E-Prescribing) Incentive Program web page on the CMS website. ***E-Prescribing Measure Section page*** - This page contains several resources including: Measure Specifications; new Claims-Based Reporting Principles and a Sample E-Prescribing Claim. To access this page, visit <http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/index.html> on the CMS website. ***Educational Resources Section Page*** – This page contains MLN Matters articles; E-Prescribing Incentive Program fact sheets; a link to Medicare’s Practical Guide to the E-Prescribing Incentive Program, and information on how to receive continuing education credit related to the E-Prescribing Incentive Program. To access this page, visit <http://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/ERxIncentive/index.html> on the CMS website.

MLN Matters® Number: MM6540 **Revised**

Related Change Request (CR) #: 6540

Related CR Release Date: December 23, 2009

Effective Date: January 1, 2010 for OPTIONAL reporting by hospices; April 1, 2010 for MANDATORY reporting by hospices

Related CR Transmittal #: R1885CP

Implementation Date: January 4, 2010

Note: This article was updated on December 28, 2012, to reflect current Web addresses. This MLN Matters® Article was previously revised on June 4, 2012, to add a link to MM7755 (<http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNMattersArticles/downloads/MM7755.pdf>) which informs Medicare contractors about the requirements for hospice providers to code the NPI and name of the hospice physician responsible for certifying that the patient is terminally ill when the certifying physician differs from the attending physician. It also provides information on how to report this on the electronic claim 8371 version 5010A2 format. All other information remains the same.

Tracking the Hospice Attending Physician’s National Provider Identifier (NPI) for Validating Hospice Part B Payments

Provider Types Affected

This MLN Matters® Article is intended for hospices submitting claims to Medicare contractors (A/B Medicare Administrative Contractors (A/B MACs), and/or Regional Home Health Intermediaries (RHHIs)) for services provided to Medicare beneficiaries in a hospice benefit period.

Disclaimer

This article was prepared as a service to the public and is not intended to grant rights or impose obligations. This article may contain references or links to statutes, regulations, or other policy materials. The information provided is only intended to be a general summary. It is not intended to take the place of either the written law or regulations. We encourage readers to review the specific statutes, regulations and other interpretive materials for a full and accurate statement of their contents.

What You Need to Know

This article is based on Change Request (CR) 6540 which is meant to ensure that the hospice reported data in the Notice of Election (NOE) and claims for the attending physician which may be a Nurse Practitioner (NP) meet the definition of attending physician/NP in the Code of Federal Regulations (CFR), while also reporting the hospice physician responsible for certifying the terminal illness.

Background

Effective with NOEs/claims with effective dates or dates of service on or after January 1, 2010, hospices may begin to report the National Provider Identifier (NPI) of the attending physician/NP in the attending physician field of the NOE and claim. For NOEs/claims with effective dates or dates of service on or after April 1, 2010, hospices must report this data. The 42 CFR 418.3 defines the attending physician as:

- A doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which he or she performs that function or action or NP who meets the training, education, and experience requirements as described in 42 CFR 410.75; and
- Is **identified by the individual**, at the time of his/her election to receive hospice care, as having the most significant role in the determination and delivery on the individual's medical care.

In addition, for claims with dates of service on or after January 1, 2010, and on NOEs with effective dates on or after January 1, 2010, the hospice may begin to enter, in the "Other Physician" field on the NOE/claim, the NPI and name of the hospice physician responsible for certifying the patient is terminally ill, with a life expectancy of 6 months or less if the disease runs its normal course. Hospices are required to report this data on NOEs/claims with effective dates or dates of service on or after April 1, 2010. Note that **both** the attending physician and other physician fields should be completed even if the hospice physician certifying the terminal illness is the same as the attending physician.

Additional Information

Note: This article was revised on December 24, 2009, to reflect changes made to CR 6540 on December 23, 2009. The article was revised to show that the reporting instructions for hospices are OPTIONAL beginning January 1, 2010, but are required as of April 1, 2010.

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The official instruction, CR 6540, issued to your A/B MAC or RHHI regarding this change may be viewed at <http://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/downloads/R1885CP.pdf> on the Centers for Medicare & Medicaid Services (CMS) website.

If you have any questions, please contact your A/B MAC or RHHI at their toll-free number, which may be found at <http://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/provider-compliance-interactive-map/index.html> on the CMS website.

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