REVISED products from the MLN

- “Medicare Learning Network® (MLN) Suite of Products & Resources for Inpatient Hospitals”, Educational Tool, ICN 905704, Downloadable only

MLN Matters® Number: SE1428 Revised Related Change Request (CR) #: NA
Related CR Release Date: NA Effective Date: NA
Related CR Transmittal #: NA Implementation Date: NA

**Comprehensive Error Rate Testing (CERT): Skilled Nursing Facility (SNF) Certifications and Recertifications**

Note: This article was revised on August 25, 2014, to delete a sentence in the "Provider Action Needed" section that referenced outpatient therapy. All other information remains the same.

**Provider Types Affected**

This MLN Matters® Special Edition Article is intended for physicians and non-physician practitioners (NPPs) who bill for services provided to Medicare beneficiaries in SNFs.

**Provider Action Needed**

This MLN Matters® Special Edition (SE) 1428 alerts providers that a major reason for claims being denied is failure to obtain certification and recertification statements from physicians or NPPs. The routine admission order established by a physician is not a certification of the necessity for post hospital extended care services for purposes of the program. Your billing staff needs to be aware of the requirements outlined below.

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. CPT only copyright 2013 American Medical Association.
**Background**

The SNF inpatient improper payment rate increased from 4.8 percent during the 2012 reporting period to 7.7 percent during the 2013 report period. A major source of improper payments stems from SNFs failure to obtain certification and recertification statements from physicians or NPPs.

**What is an Acceptable Certification Statement?**

An acceptable certification statement must contain the following information:

- The individual needs skilled nursing care (furnished directly by or requiring the supervision of skilled nursing personnel) or other skilled rehabilitation services;
- Such services are required on a daily basis;
- Such services can only practically be provided in a SNF or swing-bed hospital on an inpatient basis;
- Such services are for an ongoing condition for which the individual received inpatient care in a hospital; and
- A dated signature of the certifying physician or NPP.

**What is an Acceptable Re-certification Statement?**

An acceptable recertification statement must contain the following information:

- The reasons for the continued need for post hospital SNF care;
- The estimated time the individual will need to remain in the SNF;
- Plans for home care, if any;
- If the reason for continued need for services is a condition that arose after admission to the SNF (and while being treated for an ongoing condition for which the individual received inpatient care in a hospital) this must be indicated; and
- A dated signature of the recertifying physician or NPP.

**How and When to Document the Certification and Recertification Statements**

- There is no specific format or procedure for documentation of the certification or recertification statement(s) but they must include the content listed above. For example (if appropriate) the physician or NPP could sign and date a statement that:
  1. All of the required information is included in the individual’s medical record; and
  2. Continued post hospital extended care services are medically necessary.

**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.

CPT only copyright 2013 American Medical Association.
• The following are the required timeframes for physicians or NPPs to document the certification or recertification statement(s):

1. The certification must be obtained at the time of admission or as soon thereafter as is reasonable and practicable.

2. The first recertification is required no later than the 14th day of post hospital SNF care.

3. Subsequent recertifications are required at least every 30 days after the first recertification.

**Note:** SNFs are expected to obtain timely certification and recertification statements. However, delayed certifications and recertifications will be honored where, for example, there has been an isolated oversight or lapse. Delayed certifications and recertifications must include an explanation for the delay and any medical or other evidence which the SNF considers relevant for purposes of explaining the delay.

**Examples of CERT Findings**

Below are examples of CERT review findings of incorrect certifications and recertifications:

• A physician order dated the day of admission to the SNF stated “resident certified as skilled (Medicare).” There was no indication of the need for daily skilled care, for inpatient services or for services for an ongoing condition for which the individual received inpatient care in a hospital care. Therefore the certification was not complete.

• A record selected by CERT for medical review did not have a certification or recertification statement. In response to a request for additional documentation, the facility submitted an initial certification and a recertification dated after the dates of service for the claim. There was no explanation of the reason(s) for the delayed certification. Therefore, the medical record did not meet Medicare requirements.

• A SNF medical record contained a 30-day recertification dated prior to the claim’s dates of service. There was no initial certification. A request for further documentation resulted in an initial certification and a 14-day recertification, both signed six months after the claim’s dates of service. In addition, the 30-day recertification was returned with a new date, also well after the claim dates of services. There was no explanation of the reason(s) for the delayed certification. This documentation did not meet the requirements for SNF certification and recertification.

**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. CPT only copyright 2013 American Medical Association.
Additional Information

If you have any questions, please contact your MAC at their toll-free number, which is available at [http://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/provider-compliance-interactive-map/index.html](http://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/provider-compliance-interactive-map/index.html) on the CMS website.


You may also want to review the following documents:


**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. CPT only copyright 2013 American Medical Association.