



# News

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## NEW INSTRUCTIONS EFFECTIVE SEPTEMBER 17, 2018

### for Medicare Administrative Contractors (MACs) monitoring of Home Health Agency's (HHAs) misuse of Requests for Anticipated Payments (RAPs).

MACs shall conduct routine, at least monthly, monitoring activities to account for potential misuse of RAPs. MACs may identify instances where a Home Health Agency's use of RAPs indicates potential fraud, waste or abuse. Such instances should be rare and includes, but is not limited to situations where:

- The number of final claims submitted is less than the number of RAPs submitted
- Final claims are submitted late resulting in RAPs being "auto-canceled" or
- There is a variation in the number of RAPs submitted on key markers, such as:
  - Comparable intervals ( weekly, monthly, quarterly, yearly)
  - Beneficiaries already receiving care, newly entering beneficiaries, beneficiaries with 2 or more admit dates during the same 60 day episode
  - The intensity of relationships between HHAs where at least one is already on RAP suppression

Upon identifying misuse of RAPs, the MAC shall initiate corrective action. Corrective action includes, but is not limited to, education, warnings, Corrective Action Plans (CAPs), RAP suppression, and referrals to the Unified Program Integrity Contractor (UPIC). MAC shall notify the HHA in writing that a CAP is required based on non-compliant billing practices; detail the misuse the MAC identified; indicate the anticipated length of the CAP; and advise the HHA regarding whether the HHA is also being placed on RAP suppression. The MAC shall provide the UPICs a list of HHAs with pending or accepted CAPs at least monthly. If the HHA is unable to resolve the issues with the CAP, the MAC shall consider additional corrective action, including RAP Suppression and/or referral to the UPIC. At the conclusion of the original, typically 90 calendar days, RAP Suppression Monitoring Period, the MAC shall inform the HHA of the outcome which may include either reinstatement of the HHA's RAP authorization or continuation of the RAP Suppression.

Source: CMS August 17, 2018 Change Request 10789

TAD Offices will be closed on November 22<sup>nd</sup> and 23<sup>rd</sup> in observance of the holiday.

**OCTOBER 31, 2018 deadline for comments on the Pre-Claim Review (PCR) /  
Review Choice Demonstration (RCD)**

CMS proposes initially implementing the demonstration in Illinois, Ohio, North Carolina, Florida, and Texas with the option to expand to other states in the Palmetto/JM jurisdiction. CMS proposes starting the demonstration in Illinois on December 10, 2018. Under this demonstration, CMS proposes to offer choices for providers to demonstrate their compliance with CMS' home health policies.

Providers in the demonstration states may participate in either 100 percent pre-claim review or 100 percent post-payment review. These providers will continue to be subject to a review method until the HHA reaches the target affirmation or claim approval rate. Once a HHA reaches the target pre-claim review affirmation or post-payment review claim approval rate, it may choose to be relieved from claim reviews, except for a spot check of their claims to ensure continued compliance.

Providers who do not wish to participate in either 100 percent pre-claim or post-payment reviews have the option to furnish home health services and submit the associated claim for payment without undergoing such reviews; however, they will receive a 25 percent payment reduction on all claims submitted for home health services and may be eligible for review by the Recovery Audit Contractor.

Source: <https://www.federalregister.gov/documents/2018/09/27/2018-20994/agency-information-collection-activities-submission-for-omb-review-comment-request>



Visit us at [www.tad-usa.com](http://www.tad-usa.com) for helpful links to information you need to know for your agency!!!

**TAD FREE WEBINARS**

TAD Webinars include a variety of topics that will help agency owners and administrators keep current on the latest topics that impact Home Health Agencies. The following Webinars held from 2-3pm EST are open for registration:

**Home Health Care Industry and Tax Updates:** Wednesday, November 14th

**Accounting and Tax Issues for Home Health Agencies:** Wednesday, December 12th

For more information about these webinars, or to register, visit us at [www.tad-usa.com](http://www.tad-usa.com) and select "Free Webinars." Space will be limited, so please be sure to register early. Registration for webinars is only available on line. Please note that Webinars are scheduled based on the **Eastern** time zone. New webinars and dates will be posted regularly, so visit us often at [www.tad-usa.com](http://www.tad-usa.com). We hope you will join us!!!!

***INSPIRATIONAL THOUGHT:***

**"There is some GOOD in this world,  
and it's worth fighting for."**

**- J.R.R. Tolkien**

