

WORDS TO THE WISE

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CMS DELAYS IMPLEMENTING NOTICE ACT

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If you have clients who need assistance with finding the right place for their ill family member to live and determining how to pay for it, ***we can assist them with becoming eligible for Medicaid.***

If you have clients who are unable to care for themselves and make their own decisions, ***we can assist their loved ones with becoming their guardian.***

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Congress has passed and President Obama has signed into law the Notice of Observation Treatment and Implication for Care Eligibility Act (NOTICE Act), which mandates that hospitals give written and oral notice to patients who are in observation status or other outpatient status for more than 24 hours. The hospitals must explain in the Notice why the patient is an outpatient as well as what outpatient status means for co-pays at the hospital and Medicare “eligibility coverage” for discharge to a skilled nursing facility. On August 2, 2016, the Centers for Medicare & Medicaid announced that the Notice Act will not become effective until October 1, 2016, and the required written notices will not be mandated until 90 days after the Office of Management and Budget approves the standardized form of the Notice.

Source: Center for Medicare Advocacy
<http://www.medicareadvocacy.org/cms-delays-implementation-of-notice-act-until-fall-2016/>

MANDATORY ARBITRATION CLAUSES FOR NURSING HOMES CONTRACTS ARE BANNED

The Centers for Medicare & Medicaid Services has issued a new rule that will ban nursing homes from writing in mandatory binding arbitration clauses in their agreements with patients. The rule will apply to about 15,000 nursing homes that accept whether Medicare or Medicaid funding. The rule is scheduled to go into effect this November. According to a study by the America Health Care Association, arbitration awards from nursing homes are 35% lower than if the patient had sued in court. In addition, the rule requires nursing homes to provide “nourishing, palatable” food and develop a care plan for each patient within 48 hours of admission to the nursing home. Finally, the rule requires nursing homes to create an “infection prevention and control program” and a way to monitor the patients’ use of antibiotics.

Source: NPR

OSTERHOUT & MCKINNEY, P.A.
PRESENTS

NITE OF THE LIVING WILL

Friday, Oct. 28th at 9:30 am
Hyatt Place at the Forum
2600 Champion Ring Rd.
Ft. Myers, FL 33905

Friday, Oct. 28th at 2:30 pm
Greater Naples Fire Rescue Dist.
2700 N. Horseshoe Dr.
Naples, FL 34104