


HINNs & NODMARs

*HINNs & NODMARs*

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Manager  
HSAG Federal Case Review

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*HINNs & NODMARs*

- Hospital-Issued Notices of Noncoverage
  - Medicare fee-for-service beneficiaries
- Notice of Discharge and Medicare Appeal Rights
  - Medicare Advantage enrollees

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*Medicare Appeals*

- Almost always appeal rights
- Where to appeal?
  - To appropriate Medicare contractor
- Different appeal procedures
  - Most concurrent appeals
  - Some are retrospective

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## HINNs & NODMARs

### **Medicare Contractors**

- Quality Improvement Organization (QIO)
- Fiscal Intermediary (Part-A claims)
  - Noridian Part A
  - Mutual of Omaha
  - Trailblazer’s Health Enterprises
- Carrier (Part-B claims)
  - Noridian Government Services
- Medicare Advantage plans

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### **Typical Appeal Process**

- Initial review
- Reconsideration
- ALJ
- Appeals Board
- Federal Court

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### **HINNs / NODMARs**

- Review rules—Same or similar for FFS/MA
- Must give HINN or NODMAR if liability to attach
- Medicare Conditions Of Participation

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**Types of Notices Reviewed by QIO**

- Admission Denial
  - Preadmission
  - Admission
- Continued-Stay Denial
  - NODMAR
  - HINN
- Swing-Bed Notices

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**Admission Denials**

- May be given at any time during stay
- Need systems to identify potential denials
- No attending-physician concurrence
- Only for fee-for-service beneficiaries

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**Types of Admission Denials**

- Preadmission Denial
  - Immediate liability
- Admission Notice before 3 p.m.
  - Liability begins with notice
- Admission Notice after 3 p.m.
  - Anytime after 3 p.m. of date of admission
  - Liability begins the next day

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**Admission HINN**

- Use Model Letter 1
  - Footnote, insert appropriate sentence
    - Preadmission
    - Admission before 3 p.m.
    - Admission after 3 p.m. of admission day

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**Continued-Stay Denial**

- Medicare fee-for-service
- Physician or QIO must concur
  - Written concurrence
- Discharge Plan documented
- If discharge to SNF, SNF bed must be available

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**Physician Concurrence**

- Written in medical record
  - Discharge Order
  - Progress Note stating medically ready for discharge
- Documentation that doctor/nurse would understand that patient is stable for discharge

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**Discharge Planning**

- DC planning expected
- Extent based on patient needs
- Document well
- Uncooperative/unrealistic family
- Must have SNF bed, other covered services, if needed

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**Liability after Continued-Stay HINN**

- PPS Hospitals
  - 3 Grace Days
- Non-PPS Hospitals
  - Liability next day
- Advance Notice

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**Grace Days**

- For PPS fee-for-service only
- On the third day
  - 1st—Notice given
  - 2nd & 3rd—Grace Days
  - 4th—Liability attaches

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**Advance Notice**

- Hospital Manual section 414.4 B 3 permits Advance Notice
- May avoid prolonged hospital liability

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**Continued-Stay HINN**

- Use Letter 2
  - Physician concurs
- Physician Does Not Concur
  - Letter 10, then call QIO for review
  - If QIO agrees, then give Letter 5

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**Dates on Continued-Stay HINN**

- Date of Notice = date of acknowledgement
- First noncovered day = day liability attaches
- Beginning on... = date of liability
- If you leave on ... = date of liability
- You are responsible... = date of liability

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HINNs & NODMARs

***Delivery of Notice***

- Person to Person—best method
  - Phone or mail if necessary
- Acknowledgement by patient or representative
- Give copy to patient or representative

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***Delivery by Phone***

- Date of Receipt is day of call
  - Person calling documents date and time
- Read entire notice, if possible
  - Give rep date of liability, appeal right, HSAG phone number
  - Document on notice

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***Delivery by Mail***

- Certified mail, Return Receipt requested
- Date of Receipt is second working day after mailing (date of postmark)
  - Postmark—July 1st
  - Date Notice for July 3rd
  - Liability begins July 6th

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HINNs & NODMARs

**Acknowledgment**

- Acknowledgment of receipt, not agreement
  - Signature, time, date
- Suggest that they call HSAG
- Comments/Addendums by patient

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**Problems**

- Refuse to sign: Explain on notice
- Disagree with notice, refer to HSAG

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**Authorized Representative ????**

- Who?
  - Any family/friend willing can acknowledge or request review
- OK—private fiduciary, ALTCS case manager, social worker calling at request of patient or family

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HINNs & NODMARs

**QIO Review**

- Should call by noon of the next business day after notice given for full financial protection
- May request review at any time
- Assist patients/families to call us

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**Procedure**

- Beneficiary/family/friend calls QIO
  - QIO gathers information
  - QIO informs of rights, procedure
- QIO calls hospital
  - Clarification of circumstances
  - Requests medical record

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**Procedure (Cont.)**

- QIO nurse reviews, requests additional records as needed
- QIO physician reviews
- Phone decision to all parties
  - Decision official with phone call
- Written decision to all parties

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**Length of QIO Review**

- Manual outlines 3-day process
  - One day to receive record
  - Review usually completed within one working day of receiving record

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**Worse Case Scenario**

- Example:
  - Notice given Tuesday before Thanksgiving
  - Representative requests review on Wednesday
  - Closed Thursday, Friday, and weekend
  - Get record on Monday
  - Decision on Tuesday
  - Liability on Wednesday

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**Medicare Advantage Plans**

- NODMAR given if requested or disagreement about discharge occurs
- No plan admission denial review by QIO
- Appeal options
  - Plan review
  - QIO review
- Patient/representative must call by the next noon or appeal must go to plan

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## HINNs & NODMARs

### ***NODMAR (Cont.)***

- No QIO concurrence of NODMAR
  - Physician concurrence required
- Plans control utilization
  - Coordination/communication needed
- NODMAR notice
  - Must be given “no later than the day before hospital coverage ends”

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### ***Procedure for NODMARs***

- Beneficiary/family/friend calls QIO
  - QIO gathers information
  - QIO informs of rights, procedure
- QIO calls MA plan
  - Clarification of circumstances
  - Requests medical record

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### ***Resources***

- Medicare Hospital Manual
  - [www.cms.hhs.gov/manuals](http://www.cms.hhs.gov/manuals)
    - Select Hospital Manual from the list of Paper-Based Manuals
    - 414.3 – 414.10 for regulations on HINNs
    - 414.13 for model letters
- Medicare Managed Care Manual
  - [www.cms.hhs.gov/medlearn](http://www.cms.hhs.gov/medlearn)
    - Chapter 13 – Appeal Process
- QIO Manual
  - [www.cms.hhs.gov/manuals](http://www.cms.hhs.gov/manuals)
    - Select Quality Improvement Organization Manual from the list of Internet-Only Manuals

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## HINNs & NODMARs

### **Best Download Sites**

- HINNs download model letters at [www.cms.hhs.gov/bni](http://www.cms.hhs.gov/bni)
  - Select HINN forms
- NODMARs at [www.cms.hhs.gov/manuals](http://www.cms.hhs.gov/manuals)
  - Select Medicare Managed Care Manual from the list of Internet-Only Manuals
  - Select Chapter 13, Appendix 3

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### **Contact Information**

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[www.hsag.com](http://www.hsag.com)

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