



Are your Hospice Services Agreements with SNFs Compliant with the new CoPs?

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On December 2, 2008, new Medicare Conditions of Participation ("CoPs") took effect for hospices. Besides other contractual language that is now required to be included for services under arrangements, hospices and skilled nursing facilities ("SNFs") have several new provisions that must be addressed in their contracts. These include provisions relating to:

- Manner of communication between the hospice and the facility;
- Written agreement requirements;
- Hospice plan of care;
- Coordination of services; and
- Orientation and training of staff.

The biggest challenge--and opportunity--will be developing the coordinated plan of care between the Hospice and the SNF. Updated hospice interpretive guidelines have also been issued and provide helpful guidance in interpreting the new CoPs. Companion long term care regulations are expected to be published as well.

In addition to the specific requirements listed above, there are other provisions that need to be coordinated relating to professional management responsibility, training of personnel, criminal background checks, and quality of care.

Although the effective date of the new CoPs has come and gone, many Hospices are still scrambling to update their contracts with SNFs. While the head of the survey department in Michigan informally stated that his department would not be conducting any surveys prior to the holidays, the holidays are over, as is the temporary hiatus from surveys. If you have questions relating to your contracts or compliance with the new CoPs, please feel free to contact me.