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**CHAPTER 23: HOME HEALTH**

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### **PROVIDER REQUIREMENTS**

To participate in the Home Health Program the providing agency must be Medicare-certified for Medicare/Medicaid by the Licensing and Certification Unit of the Health Standards Section of the Louisiana Department of Health. All providers enrolled in the Louisiana Medicaid Program must adhere to the conditions of participation as outlined in the provider agreement.

All home health services must be provided by staff employed by or under contract with the home health agency (HHA) (see LAC 48:I, Chapter 91). (Also refer to 42 CFR 417.416 and Sec 2194 of the State Operations Manual CMS Pub. 7 for specific requirements).

All staff must meet all required licensure requirements in accordance with Medicaid policies, federal, state and other applicable laws.

#### **Provision of Services**

Home health services include medically necessary skilled nursing, rehabilitation (physical, occupational and speech therapies), home health aide and medical supplies provided to beneficiaries only if the service is provided in the beneficiary's residential setting or any non-institutional setting in which normal life activities take place.

**NOTE:** The beneficiary's residential setting cannot be a hospital, nursing home, or an intermediate care facility for individuals with intellectual disabilities (ICF-IID, with limited exceptions), or any setting in which payment is or could be made under Medicaid for inpatient services that include room and board.

#### **Plan of Care**

The attending physician must certify that the beneficiary meets the medical criteria to receive the service in the beneficiary's residential setting and is in need of the home health services on an intermittent basis. The attending physician must order all home health services and sign a plan of care (POC) submitted by the HHA on the CMS-485 form. For more information on the Form CMS-485 visit the Centers for Medicare and Medicaid Services (CMS) website (see Appendix D). This certification and the physician's POC must be maintained in the beneficiary's record and on file at the HHA.

#### **Periodic Review of Plan of Care**

The physician must reauthorize the POC every 60 days.

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**Face-to-Face Encounter Requirements**

For the initiation of home health services, a face-to-face encounter with the physician and the beneficiary, or an allowed non-physician practitioner (NPP) and the beneficiary must occur no sooner than 90 days prior to the start of home health services, or no later than 30 days after the start of home health services.

For the initiation of medical equipment, the face-to-face encounter must be related to the primary reason the beneficiary requires medical equipment and must occur no more than six months prior to the start of services.

For Medicaid fee-for-service beneficiaries ages 21 and older receiving skilled nursing and home health aide services, a Face-to-Face Encounter form must be submitted with the prior authorization request.

Any of the following will be accepted by the Molina Prior Authorization Unit (PAU) as evidence of a face-to-face encounter between a physician and the beneficiary, or an allowed NPP and the beneficiary:

- A written statement on the certifying physician's letterhead or prescription pad attesting to a face-to-face encounter between the physician and the beneficiary or an allowed NPP and the beneficiary; or
- The HHA's face-to-face encounter form that the HHA requires the beneficiary's certifying physician to complete as a routine business practice.

If the beneficiary was seen by a hospitalist or an attending physician in an acute or post-acute setting, the beneficiary's certifying physician must co-sign that the face-to-face encounter occurred.

If the face-to-face encounter is between an allowed NPP and the beneficiary, the certifying physician must co-sign the document.

**Documentation of a face-to-face encounter as detailed above must be kept in the beneficiary's record for ALL home health service related requests, including therapy services, medical equipment and supplies and services for beneficiaries under the age of 21.**

The face-to-face encounter may be conducted by one of the following practitioners:

- The beneficiary's physician;

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- A nurse practitioner or clinical nurse specialist, working in collaboration with the beneficiary's physician;
- A physician assistant under the supervision of the beneficiary's physician;
- A certified nurse -midwife, as defined in section 1861(gg) of the Social Security Act; or
- The attending acute or post-acute physician for beneficiaries admitted to home health immediately after an acute or post-acute stay.

The allowed NPP performing the face-to-face encounter must communicate the clinical findings of the encounter to the ordering physician. Those clinical findings must be incorporated into the beneficiary's medical record.

The physician responsible for ordering the services must:

- Document that the face-to-face encounter which is related to the primary reason the beneficiary requires home health services, occurred within the required and specified timeframes above;
- Identify the practitioner who conducted the encounter; and
- Indicate the date of the face-to-face encounter.

**Required Assistance to Beneficiaries**

In an effort to assist beneficiaries in locating a provider to submit a prior authorization request for medically necessary home health services, the beneficiary may contact Medicaid for assistance (see Contact/Referral Information, Appendix D).

In addition, the Bureau of Health Services Financing (BHSF) may conduct surveys with beneficiaries who have been authorized to receive extended home health services. The purpose of these surveys is to ensure that these BHSF will contact the appropriate provider to determine what additional assistance may be required to ensure access to the authorized services.

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**Emergency Preparedness Plan**

The HHA must have an emergency preparedness plan that conforms to the current Louisiana Office of Emergency Preparedness (OEP) model plan. The plan is designed to manage the consequences of declared disasters or other emergencies that disrupt the HHAs ability to provide care and treatment or threaten the lives or safety of its clients.

The HHA is responsible for obtaining a copy of the current Home Health Emergency Preparedness Model Plan from OEP (see Contact/Referral Information, Appendix D)

At a minimum, the HHA must have a written plan that includes:

- The evacuation procedures for agency clients who require community assistance as well as for those with available caregivers to evacuate to another location;
- The delivery of essential care and services to agency clients whether they are in a shelter or other locations;
- The provisions for the management of staff, including distribution and assignment of responsibilities and functions;
- A plan for coordinating transportation services required for evacuating agency clients to another location; and
- A declaration that the agency will notify the client's family or caregiver if the client is evacuated to another location.

The HHA must submit the plan to the parish OEP for review. Refer to LAC 48:I.9101 for details regarding the minimum standards for HHA emergency preparedness.