

Policy Clarifications – Medicaid – Long Term Care PMN-17546-468

Submitted: 4/29/15

Agency: CAOs

**Subject: Long-Term Care (LTC) and Home Maintenance Deduction (HMD)
Effective Dates**

Questions:

1. May a doctor provide a signed statement or addendum to the Medical Evaluation form (MA 51) verifying the date the individual had a medical need for payment of LTC services?
2. May the signed statement also be used to verify the date the individual is eligible for the HMD?

Response By: Division of Health Services

Date: 5/12/15

1. Yes, a doctor may provide a signed statement, script or an addendum to the MA 51 verifying a medical need for payment of LTC services prior to the date the MA 51 was signed.

Example: Mr. A entered the LTC facility and is requesting payment of LTC effective March 28th. The CAO received the MA 51 verifying the need for a nursing home level of care on April 10th. It was signed by the doctor on April 3rd. On May 2nd the CAO receives a doctor's signed statement verifying Mr. A had a medical need for LTC effective March 28th. If non-financially and financially eligible, the CAO will authorize Mr. A beginning March 28th, the effective date the doctor listed on the signed addendum.

2. Yes, the signed statement, script or addendum to the MA 51 will also be used to verify the HMD effective date.

Example: In the example above, the doctor verified on the MA 51 received April 10th that Mr. A was expected to return home within 180 days and Mr. A verified shelter expenses in the community. The CAO will use the addendum received on May 2nd to verify eligibility for the HMD for the months of March through August.

Reminder: The HMD is a deduction from the LTC cost of care. An individual must be eligible for the payment of LTC services in order to receive the HMD. If the individual was not eligible for payment of LTC facility services due to excess resources or establishment of a penalty period then the HMD is not a valid deduction. An addendum requesting the HMD begin after an ineligibility period or after resources are reduced is not valid. Per 55 Pa Code § 181.452(d)(6) the physician must certify that the applicant may return to their home within six months from the date of admission to the facility.

Example: Mr. C is admitted to the facility January 1. The CAO determines there was a transfer for less than FMV and imposes a penalty from January 1 through February 15. On January 1 the physician certifies that Mr. C may return to his home within 6 months from admission. The physician also signs an addendum stating that Mr. C was in need of LTC services effective February 16; the day after the penalty expires. The CAO cannot accept the addendum and may

authorize LTC effective February 16 per policy, with a HMD from February through June, the sixth month from admission.

Example: Mr. C is admitted to the facility January 1. The CAO determines he has excess resources, denies his application, and instructs Mr. C to spend down excess resources on allowable medical expenses. Mr. C privately pays the facility up to and including the end of February. The requested begin date from the facility is March 1. The physician certifies on April 1 that Mr. C is expected to return home within 6 months. The physician completes an addendum certifying that Mr. C is in need of LTC MA as of March 1. Mr. C is requesting a HMD effective March 1. The CAO cannot allow the HMD as of March 1, when Mr. C's month of admission is January. Mr. C would be eligible for the HMD beginning March 1 through the end of June, the sixth month from his admission.

Nursing home transition remains the one exception at this time to the HMD beginning the month of admission. Continue to follow the procedures in PMN12797468.

The following policy clarifications are obsolete upon issuance of this policy clarification:

- PMN 9811-468, Home Maintenance Deduction Examples
- PMN 16283-468, Entry and Expiration of the HMD in LTC Cases

Note: This Policy Clarification supersedes any prior guidance which was sent directly to the Counties.