



Home Health Orders for Nurse Practitioners under the Maryland Total Cost of Care (TCOC) Model

MLN Matters Number: MM11330

Related Change Request (CR) Number: 11330

Related CR Release Date: October 10, 2019

Effective Date: January 1, 2020

Related CR Transmittal Number: R2373OTN

Implementation Date: January 6, 2020

PROVIDER TYPE AFFECTED

This MLN Matters Article is for nurse practitioners and Home Health Agencies (HHAs) in Maryland billing Medicare Administrative Contractors (MACs), including the Home Health & Hospice MAC, for services provided to Medicare beneficiaries.

PROVIDER ACTION NEEDED

CR 11330 will enable all Medicare-enrolled nurse practitioners in Maryland to certify home health services for Medicare beneficiaries as part of the Maryland Total Cost of Care (TCOC) Model. This will apply to services that the nurse practitioners provide on and after January 1, 2020. Medicare systems will be operational to process claims with dates of service on or after January 1, 2020, at the beginning of the second year of the Maryland TCOC Model. Make sure your billing staffs are aware of these changes.

BACKGROUND

On January 1, 2019, the State of Maryland and the Centers for Medicare & Medicaid Services (CMS) launched the Maryland Total Cost of Care (TCOC) Model, under which the CMS and the State operate three core programs to date;

- (1) The Hospital Payment Program (HPP) operates the nation's only all-payer hospital rate regulation system and places acute care hospitals on global budget payments for all hospital inpatient and outpatient services
- (2) The Care Redesign Program (CRP) allows Maryland hospitals to form partnerships with hospital-based and non-hospital providers and pay them for care coordination services that can help reduce potentially avoidable utilization
- (3) The Maryland Primary Care Program (MDPCP) is an advanced primary care program that

will further reduce hospital spending under the global budget system by reducing hospitalization rates throughout the state. Under the Maryland TCOC Model, the State must meet annual savings targets for Maryland Medicare TCOC per beneficiary

Under Maryland law, a nurse practitioner can provide primary care services, but under Medicare rules a beneficiary must be under the care of a physician in order to receive home health care services. A beneficiary who lacks access to a community-based primary care physician must be admitted to a facility and placed under the care of a facility-based physician before home health services can be ordered even if the beneficiary is under the care of a nurse practitioner who is serving as their primary care provider. This results in higher total cost of care and unnecessary utilization. Allowing nurse practitioners to oversee beneficiaries' care while they are in home health is consistent with Maryland Medicaid rules, other payers in Maryland, CMS' direction of allowing greater use of non-physician practitioners, and the goal of supporting existing patient/provider relationships under the Maryland TCOC Model.

Currently, Medicare pays for home health services only if a physician certifies the beneficiary's eligibility for the home health benefit – not a nurse practitioner. CR 10330 would waive [Section 1814\(a\)\(2\)](#) of the Act and the implementing regulations at [42 CFR 424.22](#) to allow nurse practitioners to certify that home health services are required according to Section 1814(a)(2)(C). This waiver only applies nurse practitioners and HHAs providing these services which they bill to the Maryland MAC.

The Maryland MAC will allow home health claims (Type of Bill 032x, excluding 0322) for dates of service on or after January 1, 2020 to contain the name and National Provider Identifier (NPI) of a nurse practitioner in the Attending Provider field if a Maryland HHA submits the claim. Medicare identifies Maryland HHAs based on their CMS Certification Number beginning with 21. The Maryland MAC will also allow nurse practitioner NPIs on professional claims containing a HCPCS of G0179, G0180, G0181, or G0182.

ADDITIONAL INFORMATION

The official instruction, CR11330, issued to your MAC regarding this change is available at <https://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/2019Downloads/R2373OTN.pdf>.

If you have questions, your MACs may have more information. Find their website at <http://go.cms.gov/MAC-website-list>.

DOCUMENT HISTORY

Date of Change	Description
October 11, 2019	Initial article released.

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