

## SECTION 67

## NURSING FACILITY SERVICES

ESTABLISHED 7/1/91  
LAST UPDATED 9/15/15

## 67.05 POLICIES AND PROCEDURES

## 67.05-11 Prior Approval for Payment of Bed Holds During a Hospitalization

- A. All nursing facilities must provide written information to the member and a family member or legal representative that specifies the Department's bed hold policy and the facility's bed hold policy before the member is transferred to a hospital and at the time of transfer.
- B. A NF shall provide a member with the opportunity for readmission following hospitalization, if the individual remains a MaineCare member. The NF must request prior approval on the day of admission to the hospital or the first working day after admission, if admission is on a non-working day by submitting the Department's member transfer form to the Department. If the NF fails to do so, reimbursement will be granted only for the remainder of the allowed days. If the NF fails to notify the Department Services, the patient shall not be billed for non-reimbursed days.
- C. Effective March 25, 2013, payment of bed holds for a semi-private room for a short-term hospitalization of the member shall be granted up to four (4) days (midnights) absence through March 31, 2013, as long as the member is expected to return to the nursing facility.

Effective April 1, 2013, payment for bed holds shall be granted up to seven (7) days (midnights) absence per inpatient hospitalization absence, as long as the member is expected to return to the nursing facility.

If a member leaves the hospital and does not return to the NF, MaineCare reimbursement for the bed hold will stop as of the date of discharge from the hospital.

If the member's hospitalization exceeds the applicable limit on the number of bed hold days, the resident must receive a medical eligibility assessment prior to continued MaineCare coverage of nursing facility services.

MaineCare eligible members who are admitted to a NF from their home or community living situation and their expected stay is to be less than thirty (30) days in the NF, would not qualify for bed hold days. MaineCare members authorized under extraordinary circumstances (see Section 67.06) or awaiting placement for residential care (see Section 67.06-9) are not eligible for bed hold days. The facility must notify the Department by faxing the member transfer form.

- D. Upon a resident's readmission to a NF, following a hospital stay, the NF must FAX or mail a completed copy of the Member Transfer Form to the Department.

67.05 **POLICIES AND PROCEDURES** (cont.)

- E. If at any point it is determined that the resident will not return to the NF, the Department must be notified and reimbursement for the bed hold will cease.
- F. Family or friends of a MaineCare-eligible resident may make payment for bed holds in excess of the maximum number of days allowed under MaineCare regulations. This payment may not exceed the usual and customary rate for a bed in a semi-private room.

67.05-12 **Therapeutic Leave of Absence for a MaineCare Member**

Effective March 25, 2013, all nursing facilities are responsible for informing residents in writing of their right to one (1) overnight leave of absence through March 31, 2013. All nursing facilities must inform patients who are in days awaiting NF placement, in writing, of their right to twenty (20) therapeutic overnight leaves of absence from April 1, 2013 through June 30, 2013; and twenty (20) overnight leaves of absence from July 1, 2013 through June 30, 2014 and subsequent state fiscal years. A leave of absence may not be used to extend a bed hold during a hospital stay.

Payment may be made to a facility to reserve a bed for a resident on an overnight leave of absence if the following conditions are met:

- A. The resident's plan of care provides for such an absence;
- B. The resident takes no more than one (1) overnight leave of absence from March 25, 2013 through March 31, 2013;
- C. The member takes no more than a total of twenty (20) therapeutic overnight leaves of absence from April 1, 2013 through June 30, 2013;
- D. The member takes no more than a total of twenty (20) therapeutic overnight leaves of absence from July 1, 2013 through June 30, 2014 and subsequent state fiscal years;
- E. If at any point it is determined that the resident will not return to the NF, the Department must be notified and reimbursement for the bed will cease.