

# Hospital Exemptions

## Hospital Exemptions: General Discussion

**Effective 4/1/15 submitters must use the web based HENS managed by the Ohio Department of Aging to complete Hospital Exemptions. Paper JFS 07000s can only be used after obtaining permission from the PASSPORT Administrative Agency. Permission is only granted for the following reasons:**

1. The HENS system is down
2. The submitter has no internet access
3. The individual is an Ohio resident in an out-of-state hospital seeking a nursing facility admission in Ohio

### **What is a Hospital Exemption from Pre-admission Screening?**

A Hospital (Convalescent) Exemption temporarily exempts an individual from having to have a Review Results letter or from being screened for mental illness/ mental retardation/ developmental disability/ "related conditions" for the first 29 days the individual is in a NF. A Resident Review must be completed no later than 29 days after admission to the NF, if the individual requires a longer stay.

### **Who needs a Hospital Exemption?**

A Hospital Exemption is used for all individuals, regardless of payment source, who (a) are in-patient (fully admitted) at an Ohio hospital from the community, assisted living, independent living or out-of-state, and (b) are seeking admission to an Ohio Medicaid-certified NF on/after 2/01/2010, and (c) do not go through the Pre-Admission Screening (PAS) process conducted by a PASSPORT Administrative Agency (PAA) (such as Council on Aging) or the HENS 2.0 because they are not expected to remain in the NF for longer than 29 days.

### **Should a Hospital Exemption be considered a "short PAS?"**

No. A Hospital Exemption is an exemption to the PAS process, and has no validity after 30 days. Individuals remaining in the NF longer than 29 days require additional screening. This process is called the Resident Review.

### **Is a Hospital Exemption needed every time an individual is (a) admitted to a hospital, or (b) readmitted to a hospital?**

A Hospital Exemption is only needed for individuals who will be "new admissions" to an NF. Individuals coming to the hospital from a Medicaid-certified NF do not need a Hospital Exemption to return to the same NF or to transfer to a different NF.

### **Can a Hospital Exemption be used for an individual with "Serious Mental Illness" or mental retardation, intellectual disability, a developmental disability, or a "related condition?"**

A Hospital Exemption can be used for individuals with any of the above conditions as long as

they are not on a behavioral or psychiatric unit. However, these conditions must be documented in section B of the 7000 form or on the second tab of a HENS. If the person has diagnoses of serious mental illness or MR/DD, a Further Review may be needed if the individual progresses to the Resident Review process while at the NF. If a Further Review is needed, the RR is forwarded to KEPRO for serious mental illness, and/or to the Ohio Department of Developmental Disabilities for MR/DD.

### **When will hospital exemptions be submitted by the hospital?**

A Hospital Exemption is part of the required PASRR process for admission to a Medicaid-certified nursing facility, regardless of payment source. A HENS hospital exemption should be completed before admission to a facility ideally, at the time of confirmation of the transfer to the nursing facility. If an individual is admitted to a facility with no hospital exemption notification, the nursing facility must use HENS to submit for a PAS. [The Ohio Administrative Code 5160-3-15.1 \(B\) \(7\)](#) states the if the nursing facility accepts a new admission without a PAS or hospital exemption, it is in violation of its Medicaid provider agreement, regardless of payment source for the individual's nursing facility stay. On page 2 of the Hospital Exemption notification is the statement, "The nursing facility accepts the admission only after receipt and review of this notification form for 100% accuracy and completion."

### **Hospital Exemption**

*Please note, a Hospital Exemption may also be referred to as Convalescent Exemption, Convalescent Stay, or "less than 30 day stay."*

### **Based on the individual's admission date, what should their documentation look like?**

For an individual admitted to a NF on or after 2/01/2010, a Hospital Exemption from HENS is needed. This form must have been completely filled out by the hospital. It is to be kept in the individual's file at the NF. The form states, "This notification form must be kept in the nursing facility resident's file. By accepting the admission, the nursing facility confirms that the hospital exemption criteria and all applicable requirements of Ohio Administrative Code rules are met. The nursing facility accepts the admission only after receipt and review of this notification form for 100% accuracy and completion. The nursing facility accepts responsibility for requesting a resident review (if required) prior to the 30th day following admission from the hospital." After 04-01-2015, the electronic HENS system must be used.

### **What should a NF do when an individual stays longer than their hospital exemption?**

#### ***Helpful tips:***

- The NF should double-check their paperwork or HENS to make sure the hospital exemption was properly documented.
- The NF should confirm the work in HENS was done, saved and submitted no later than the date the resident was discharged from the hospital.

- The NF should confirm that the individual was admitted to the NF from an in-patient hospital stay (not from the emergency room or from an observation bed).
- The NF should confirm that the individual was not admitted after 9/29/13 from a behavioral/psychiatric hospital or unit.
- The NF should confirm that the individual was in the community or assisted living or independent living prior to the admitting hospital stay.
- The NF should confirm that the individual was not an out-of-state resident coming from an out-of- state hospital if they were admitted on/after 2/01/2010.
- The NF should initiate a Resident Review no later than the individual`s 30th day at the NF.

### **How does a NF initiate a Resident Review for "Expired Time Limit for Hospital Exemption?"**

Use HENS or

- Fill out a new PAS/RR Identification Screen ([3622](#)), using code #3 a, or 3 b, or 3 c in section B
- Make sure to sign and date Section I of the screen. The date by your signature is the date you are actually filling out and signing the form; writing any other date is falsification of records. Undated forms are not valid. The signature must be hand-written, not typed.
- If the individual does not have indications of Serious Mental Illness and/or mental retardation, intellectual disability, developmental disability or a "related condition," simply maintain the PASRR screen on the resident`s chart. Never discard this information. Do not send this form to Council on Aging for processing. Council on Aging will only need to see this information if the NF asks for a LOC authorization.
- If the individual does have indications of Serious Mental Illness and/or mental retardation, intellectual disability, developmental disability or a "related condition," fax to KEPRO (844) 285-9764 for mental illness or DODD (614) 995-4877 for MR, DD or a "related condition." Fax to both places if the individual has both mental illness and MR, DD or a "related condition." Keep the fax transmission report or your fax cover sheet to prove the date it was faxed to KEPRO and/or DODD; you will need to show this if you request a LOC. Maintain the PASRR screen and any letters you receive about the individual from KEPRO/OMHAS and DODD.
- If you have questions about doing a Resident Review for an individual with mental illness, you should call the KEPRO at 844-723-7816.
- If you have questions about doing a Resident Review for an individual with mental retardation, intellectual disability, developmental disability, or a "related condition," you should call the Ohio Department of Developmental Disabilities at 800-617-6733.

### **What should a NF do if the NF thought there was a hospital exemption, but there was not?**

*Common reasons why Nursing Facilities (NFs) often believe an individual has a hospital exemption but, in fact, they do not, include:*

- The individual went from the community to the hospital to the NF before 12/01/2009 without hospital exemption documentation nor do they have a Review Results letter issued by an Ohio PAA (such as Council on Aging)
- The individual went from the community to the hospital to the NF between 12/01/2009 and 1/31/2010 without hospital exemption documentation, nor a 7000, nor do they have Review Results letter issued by an Ohio PAA (such as Council on Aging)
- The individual went from the community to the hospital to the NF on/after 2/01/2010 without a 7000 nor do they have Review Results letter issued by an Ohio PAA (such as Council on Aging)
- The individual was an out-of-state resident and was admitted from an out-of-state hospital on/after 2/01/2010 and they do not have a Review Results letter issued by an Ohio PAA (such as Council on Aging)
- The individual went from the emergency room to a NF without a PAS Review Results letter issued by an Ohio PAA (such as Council on Aging) or a PAS Review Results letter issued by HENS 2.0 . A 7000 or a HENS hospital exemption other hospital exemption documentation cannot be used for this scenario.
- The individual went from a hospital observation bed to a NF without a PAS Review Results letter issued by an Ohio PAA (such as Council on Aging) or a PAS Review Results letter issued by HENS 2.0. A 7000 or a HENS hospital exemption or other hospital exemption documentation cannot be used for this scenario.
- The individual went from a hospital behavioral/psychiatric unit to a NF after 9/29/13 without a PAS Review Results Letter or an Ohio Mental Health and Addiction Services determination from a direct referral to KEPRO. A HENS Hospital Exemption cannot be used for this scenario.
- 7000 found to be incomplete
- 7000 not signed by MD
- NF is not able to access the HENS record
- The hospital did the hospital exemption in HENS after the date of hospital discharge

**What the NF should do if the individual does not have valid hospital exemption documentation:**

1. Make sure the individual was not a transfer from another Ohio NF.
2. Make sure the individual did not go from another Ohio NF to the hospital before coming to the current NF placement.
3. Use HENS to obtain a PAS authorization, or fax the following documents to Council on Aging at 513-345-8618. We will issue a PAS Review Results letter:
  - PAS/RR Identification Screen (3622); use a code #1 or #2 in section B
  - History and Physical signed by a MD or DO, dated within the last year
  - A note explaining the individual's admission date, where the individual was admitted from (if they were admitted from a hospital where they were prior to the hospital exemption) along with your name, phone number and fax number