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Home Health Care Planning Improvement Act (S. 445/H.R. 1825)

Background:

Medicare law requires that a physician certify a patient's eligibility for coverage of home health services. Many things have changed in health care since this Medicare provision was enacted in 1965. Much of the primary care provided today comes from highly skilled non-physician practitioners such as Nurse Practitioners, Physician Assistants, and Clinical Nurse Specialists. As a result, these professionals must "hand-off" their patients to a physician simply to comply with outdated Medicare certification requirements.

Legislation to allow Non-Physician Practitioners (NPPs) to certify a patient's eligibility was introduced in the 114th Congress and will be reintroduced this year. That legislation had 206 bipartisan cosponsors in the House of Representatives and 52 bipartisan cosponsors in the Senate.

Issues/Concerns:

- Current physician-focused certification requirements force patients to shift from their primary care practitioner to a physician who has not cared for the patient.
- There is a risk that quality of care and program integrity is compromised when the patient is "handed-off" to a physician for the sole purpose of meeting Medicare certification requirements.

Benefits:

- Permitting NPPs to certify Medicare eligibility enhances Medicare safeguards in the Home Health Benefit as the certification is done by the practitioner that actually cares for the patient.
- NPPs can improve the transitions of care of patients to community-based care, potentially resulting in a decrease in the length-of-stay at hospitals and skilled nursing facilities because it would no longer be necessary to insert a physician who has not cared for the patient into the process.
- Importantly, it should not increase Medicare home health spending as NPPs would just continue their care of patients and not require the substitution of a physician to complete the certification.

This legislation would:

- Allow Non-Physician Providers to certify a patient's eligibility for the Medicare Home Health Benefit.
- Enable NPPs eligibility to certify the face-to-face encounter requirement.