



NHPCO and NAHC Support Hospice Program Integrity Measures

The National Hospice and Palliative Care Organization (NHPCO) and the National Association for Home Care & Hospice (NAHC) are pleased to offer our support for provisions in the Hospice Program Integrity legislation currently before Congress.

Background: In July 2019, two Department of Health and Human Services Office of Inspector General (OIG) reports identified vulnerabilities in the Medicare hospice benefit and concerns about patient safety and harm. The hospice community has since worked closely with Congress and the Administration to address these concerns, including conferring closely with champions Senators Rob Portman (R-OH) and Ben Cardin (D-MD) and Congressmen Jimmy Panetta (D-CA) and Tom Reed (R-NY) to incorporate community recommendations into legislation. We support provisions in both the Hospice Care Improvement Act (S. 2807), and the Helping our Seniors in Comfort Environments Act “HOSPICE Act” (H.R. 5821), and urge that any final legislation on this important issue include the following:

1. Provide for training and competency testing of all hospice surveyors and for creation of programs to improve consistency of survey findings, as outlined in H.R. 5821. **(We support the House language)**
2. Establish a permanent requirement that routine surveys be conducted **every three years** for quality hospice programs as outlined in S.2807 with more frequent surveys (at least every 6 months) targeted to new and poor performing hospices. **(We support the language in the Senate Bill.** The House language suggests surveys every two years.)
3. Improve transparency of hospice survey information with the public so patients and families can make educated decisions **(Both bills)**
4. Inclusion of the Special Focus Program as outlined in H.R. 5821 to target educational and technical assistance to poor performing hospice programs. **(We support the House language)**

The provisions outlined above reflect the recommendations that the hospice community has made, and we are happy to see them included in the relevant bills. **However, we have continuing concerns with specific provisions** that we request be addressed as part of the ultimate compromise bill:

1. If civil monetary penalties (as included in H.R. 5821) and suspension of payment for new admissions (as included in both bills) are retained, their use should be limited to **cases of immediate patient jeopardy.**
2. Survey frequency of **every two years** for all hospice programs (as outlined in H.R. 5821) will unnecessarily increase survey costs and negatively impact quality hospice programs by imposing unnecessary burdens and reducing time that could otherwise be used for direct patient care. Increased survey frequency should be limited to new providers and for poor performing hospices.

NHPCO and NAHC look forward to continued collaboration with Congress and the Administration to ensure quality serious-illness and end-of-life care for all Americans, and a robust Medicare Hospice Benefit for years to come. For any questions, please contact Mark Slobodien at NHPCO (mslobodien@nhpco.org) or Theresa Forster at NAHC (tmf@nahc.org).