

# Program Integrity: Quality Care is a Core Value of Hospice



**HAN**  
Hospice Action  
Network

**NHPCO** is committed to supporting the delivery of the highest quality, highest value care and ensuring providers deliver person-centered, interdisciplinary care. For more than 40 years, NHPCO has worked closely with lawmakers and regulators, and with the hospice community, to ensure that the ideals of the hospice model are upheld. We offer our expert assistance to address fraud and abuse before it occurs and embracing increasing hospice data transparency.

End-of-life care providers have an obligation to support and care for patients and their loved ones with dignity and respect at this most vulnerable time in their lives. To protect those values, bad actors must be weeded out.

The recent increase in newly created hospices in several states has amplified long-standing concerns among hospice leaders about the adequacy of hospice licensure, Medicare certification, and enforcement processes. NHPCO urges Congress and the Centers for Medicare and Medicaid Services (CMS) to act now to ensure that only well-qualified care providers are allowed access to deliver care for beneficiaries and their families.

For hospices to continue to deliver on the promise of the care model, we need policies and regulations that ensure hospices are empowered to deliver excellent care; that appropriate agencies have the capacity to enforce licensure and certification requirements; and that patients and their families understand the hospice benefit.

## Recommendations

NHPCO has joined with partner organizations to provide CMS and key Congressional stakeholders with 34 recommended legislative and regulatory changes to strengthen hospice program integrity. Key points include:

- **Limit enrollment of new providers with a targeted moratorium on new hospices:** Use existing CMS moratorium authority to limit enrollment of new hospice providers in counties with troubling rates of explosive growth.
- **Enforce against non-operational hospices by revoking Medicare enrollment and increasing site visits:** Investigate Medicare providers that show aberrant gaps in Medicare billing. Revoking enrollment of non-operational hospices prevents them from being sold to inexperienced providers for a profit.
- **Develop hospice "red flag" criteria:** Identify Medicare certification application "triggers" related to areas of concern that would prompt CMS to investigate an applicant before certification could be approved. Red flags should include:
  - **Multiple hospices** co-listed at a single address
  - **A single hospice administrator** overseeing multiple hospices
  - **A patient care manager or other hospice leadership staff** serving multiple hospices
  - **A hospice company** that appears to be hidden behind a shell company

- **Require surveyors to confirm ability of hospices to provide all four levels of care:** Surveyors must ensure hospices have the ability to provide all four levels of care, including general inpatient, respite, and afterhours care.
- **Add hospice administrator and patient care manager qualifications to Medicare hospice Conditions of Participation (CoPs):** Add education and/or qualifications to the hospice CoPs for key personnel, including minimum years of experience or a combination of education and experience.

## Going Forward

Lawmakers, regulators, and hospice organizations must be intolerant of deceptive hospice care that does not live up to the standards of high-quality care that patients and families deserve. Comprehensive hospice compliance is essential to the future of the Medicare Hospice Benefit. NHPCO welcomes the opportunity to be a partner in establishing the highest possible quality standards for hospices.

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