

Affected Programs: BadgerCare Plus, Medicaid

To: Hospice Providers, Nursing Homes, HMOs and Other Managed Care Programs

Clarification of Nursing Home Policy for Private Rooms

Overview

ForwardHealth permits Medicaid-enrolled nursing homes to charge supplemental fees for private rooms when the criteria contained within Wis. Admin. Code §§ DHS 107.09(4)(k), DHS 132.31, and DHS 132.51 are met.

As stated in Wis. Admin. Code § DHS 107.09(4)(k), private rooms are not a covered service within the daily rate reimbursed to a nursing home, except where required under Wis. Admin. Code § DHS 132.51(2)(b). If a member or the member's legal representative chooses a private room with full knowledge and acceptance of the financial liability, the member may reimburse the nursing home for a private room if all of the following conditions are met:

- At the time of admission, the member or legal representative is informed in writing of the personal financial liability encumbered if the member chooses a private room.
- The member or legal representative documents the private room choice in writing.
- The member or legal representative is personally liable for no more than the difference between the nursing home's private pay rate for a semi-private room and the private room rate. If the room rates are the same or there is no separate rate for a semi-private room, no supplemental fee may be charged.
- If at any time the difference between the nursing home's private pay rate for a semi-private room and the private room rate changes, the member or legal representative is

notified in writing by the nursing home administrator and a new consent agreement is reached. Federal regulations require nursing homes to provide at least 60 days advance notice prior to the implementation of a change in charges. Refer to 42 C.F.R. § 483.10(g)(17) for more information.

Policy for Private Rooms and Supplemental Fees

A nursing home is not permitted to charge a supplemental fee for a private room unless it is a free choice of the member to select a private room, when a semi-private room is available to them at no additional cost. If the facility does not have a semi-private room available to the member, the facility may not charge any supplemental fee for placing the member in a private room.

For more information on situations where it is still permitted to charge a private-room supplement, refer to the Nonmedically Necessary Noncovered Services topic (topic #3211) of the Nonmedically Necessary Noncovered Services chapter of the Covered and Noncovered Services section of the Nursing Home service area of the ForwardHealth Online Handbook. For information regarding billing for private rooms, refer to the Private Room topic (topic #3192) of the Amounts chapter of the Reimbursement section of the Nursing Home service area of the Online Handbook.

Hospice Providers

A hospice provider may choose to contract with a skilled nursing facility (SNF) at different rates for private and semi-private rooms as long as their reimbursement practices otherwise meet state and federal regulations.

As a reminder, Wisconsin Medicaid reimburses hospice services 95 percent of the SNF rate for the date of service billed, regardless of the amount contracted between the hospice and the SNF.

Hospice providers should refer to the Nonmedically Necessary Noncovered Services and Private Room topics (topics #3211 and #3192) for more information.

Information Regarding Managed Care Organizations

For information on managed care policy, contact the appropriate managed care organization.

The *ForwardHealth Update* is the first source of program policy and billing information for providers.

Wisconsin Medicaid, BadgerCare Plus, SeniorCare, and Wisconsin Chronic Disease Program are administered by the Division of Medicaid Services, the Wisconsin Department of Health Services (DHS). The Wisconsin AIDS Drug Assistance Program and the Wisconsin Well Woman Program are administered by the Division of Public Health, DHS.

For questions, call Provider Services at 800-947-9627 or visit our website at www.forwardhealth.wi.gov/.

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