# IM 922 UTILIZATION CONTROL 06-89

IM 9220. RECERTIFICATION OF THE NEED FOR INPATIENT SNF OR ICF CARE

A. Who Can Recertify as to the Need for SNF or ICF Care

1. Prior to July 1, 1988.--A physician, or a physician assistant or nurse practitioner acting within the scope of his/her practice as defined by State law and under the supervision of a physician, could recertify as to the need for inpatient SNF care or inpatient ICF care respectively.--

2. July 1, 1988 to October 1, 1990.--Effective July 1, 1988, a physician, or a nurse practitioner or clinical nurse specialist who is not an employee of the facility but is working in collaboration with a physician, can recertify as to the need for inpatient SNF or inpatient ICF care respectively.

Authority: §4218 of OBRA §87.

3. Guidance to States.--For purposes of applying the new definition in IM 9220A.2., follow IM 9215C.

B. Schedule for SNF Recertifications

Admissions On or After October 1, 1984.--Recertifications of the need for inpatient SNF care are to be conducted at least:

o 30 days after the date of the initial certification

o 60 days after the date of the initial certification

o 90 days after the date of the initial certification, and

o every 60 days thereafter.

Authority: §1903(g)(6)(B) of the Act, as revised by §2363(a)(4) of the Deficit Reduction Act of 1984 (DRA 1984) (Public Law 98-369)).

C. Schedule for ICF (Other Than ICF/MR) Recertifications

1. On or After October 1, 1984.--Recertifications of the need for inpatient ICF care (other than ICF/MR) are to be conducted at least:

o 60 days after the date of the initial certification,

o 180 days after the date of the initial certification,

o 12 months after the date of the initial certification,

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o 18 months after the date of the initial certification,

o 24 months after the date of the initial certification, and

o every 12 months thereafter.

Authority: §1903(g)(6)(C) of the Act, as revised by §2363(a)(4) of the DRA 1984.

2. Guidance to States.--For purposes of applying the above ICF schedule of recertifications, "12 months" means 365 days, "18 months" means 548 days, and "24 months" means 730 days.

D. Application of Grace Period to SNF and ICF (Other Than ICF/MR) Recertifications Which do not Meet the Time Frames in Subsections B. and C.

1. General.--Effective October 1, 1984, recertification of the need for inpatient SNF or inpatient ICF care, respectively, is considered timely if the following requirements are met:

o the recertification is made no later than 10 days after the date it is due under the above schedules, and

o you establish good cause why the physician or other person making the recertification did not meet the schedule.

Authority: §1903(g)(6)(D) of the Act, as revised by §2363(a)(4) of the DRA 1984.

2. Guidance to States.--Since the effective date of the grace period provision, October 1, 1984, you have not had the benefit of a federal regulation defining what constitutes "good cause".

For purposes of establishing "good cause", it is suggested that you apply the following criteria:

Good cause exists if:

o The physician or other person making the recertification has a set monthly visit schedule to the facility, e.g., always visits on the last day of the month or the third Thursday of the month, which causes the recertification due date to be missed by several days, or

o There are circumstances beyond the control of the physician or other person making the recertification which cause the recertification to be missed by several days. These circumstances include, but are not limited to, natural disasters, hazardous weather, illness of the person making the recertification, or specific medical emergencies which preclude a timely recertification.

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