



JEB BUSH, GOVERNOR

ALAN LEVINE, SECRETARY

October 26, 2004

Dear Nursing Facility Administrator:

This policy is to clarify Medicaid reimbursement in emergency situations during 2004 declared hurricanes Ivan, Charley, Frances and Jeanne, where evacuations became necessary and the nursing facility did not meet the 95% occupancy rate for bed-hold.

In previous communications, the Agency for Health Care Administration has informed you of a change in bed-hold policy that took effect on July 1, 2004. The bed hold policy was changed to: "Medicaid will not pay for bed hold when a resident goes to the hospital or on therapeutic leave if **5 percent** or more of certified Medicaid beds are available."

The reimbursement policy due to these hurricanes is as follows: when a Medicaid nursing facility is required to evacuate by mandatory or voluntary orders from the local and state emergency management officials and a resident wishes to be with his/her family, Medicaid will pay for a maximum of 16 days of therapeutic leave regardless of the occupancy rate. This leave is counted as part of the therapeutic leave taken within the same fiscal year. The therapeutic leave period is limited until power is restored or the facility is structurally safe to move back into, whichever date is less. The effective date of payment will be after a hurricane evacuation order is declared and the facility evacuates the residents.

Please note that any discharges resulting from an emergency situation or disaster must be consistent with federal guidelines expressed in 42 CFR 483.12, state law expressed in s. 400.0255, Florida Statutes, and Medicaid policy for admissions and discharges established in the Nursing Facility Services Coverage and Limitations Handbook.

Please contact Sam Chaaban of my staff at 850-487-3028 should you have any questions.

Sincerely,

Thomas W. Arnold
Deputy Secretary for Medicaid

cc: Medicaid Area Offices
Peggy Rigsby, Florida Health Care Association
Erwin Bodo, Florida Association of Homes for the Aging

TWA/sc



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