

DIH SPA Summary 11-21-24	Public Notice Date	Proposed Effective Date	Target Date or Date Submitted to CMS	CMS Approval Date	CMS Approved Effective Date	MCAC Present Date
<p>UT-24-0023 Leaves of Absence; This amendment updates and clarifies payments to nursing facilities, intermediate care facilities, and intermediate care facilities for individuals with intellectual disabilities regarding leaves of absence. It also updates entity names and industry terms.</p>	12-15-24	1-1-25	12-31-24			11-21-24

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESERVE BED PAYMENT POLICY -- LEAVE OF ABSENCE

A. ~~NURSING FACILITY RESIDENTS LONG-TERM CARE PATIENTS~~ TEMPORARILY
ADMITTED TO A HOSPITAL

~~Nursing Long-term care~~ facilities certified under Title XIX will not receive payment for any day or days on which a bed is held while ~~the resident a long-term care patient~~ is temporarily in a hospital. The ~~nursing long-term care~~ facility will receive payment for the day of admission to the nursing facility, but not the day of discharge to the hospital.

B. TEMPORARY LEAVE OF ABSENCE

1. Definition: A Leave of Absence day is defined as any day during which the resident patient is absent from a facility for therapeutic or rehabilitative purposes and does not return by midnight of the same day.

2. Limitations:

a. Hospitals

Under the diagnosis-related group reimbursement methodology, it should seldom be necessary to consider leaves of absence. However, in the event a leave is granted to a resident patient, it must be appropriately and adequately documented by written order of the attending physician and progress notes included in the resident's patient's medical record.

b. ~~Skilled-Nursing Facilities and Intermediate Care Facilities~~

i. Payment for therapeutic or rehabilitative leave of absence will be limited to 12 calendar days per year for each resident of an ~~Nursing Facility~~ SNF or ICF.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESERVE BED PAYMENT POLICY -- LEAVE OF ABSENCE

B. TEMPORARY LEAVE OF ABSENCE (Continued)

- ii. Payment for additional leave of absence days may be authorized only with prior approval from the Division of Integrated Healthcare~~Health Care Financing~~. – The facility's request for prior approval must be accompanied by appropriate and adequate documentation and must include approval of the additional leave days by the resident's client's attending physician and/or the interdisciplinary team, as appropriate, to meet and support the individual resident's client's plan of care.
- c. Intermediate ~~Nursing Home~~ Care Facilities for Individuals with Intellectual Disabilities ~~Developmentally Disabled and or Mentally Retarded~~
 - i. Payment for therapeutic or rehabilitative leave of absence shall be limited to 10025 days per calendar ~~yearquarter~~ for each resident client residing of an Intermediate Care Facility for Individuals with Intellectual Disabilities ~~in a nursing home for the developmentally disabled and/or mentally retarded~~.
 - ii. Payment for additional leave of absence days may be authorized only with prior approval from the Division of Integrated Healthcare~~Care Financing~~. – The facility's request for prior approval must be accompanied by appropriate and adequate documentation and must include written approval of the additional leave days by the resident's client's attending physician and/or the interdisciplinary team, as appropriate, to meet and support the individual resident's client's plan of care.
- 3. Any therapeutic or rehabilitative leave of absence must be pursuant to a written order by the resident's client's attending physician, appropriately and adequately documented in the progress notes of the resident's client's chart and identified as rehabilitative leave by the physician and/or the interdisciplinary team as meeting and supporting the resident's client's plan of care.
- 4. All leave of absence days must be reported on the claim~~monthly billing form~~.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

RESERVE BED PAYMENT POLICY -- LEAVE OF ABSENCE

B. TEMPORARY LEAVE OF ABSENCE (Continued)

5. A nursing facility or Intermediate Care Facility for Individuals with Intellectual Disabilities may not use the fact that it will not receive payment for a leave of absence day to prevent a resident client from taking such leave notwithstanding the fact that the leave cannot be justified as therapeutic or rehabilitative if the resident client wishes to take such leave for personal or family reasons and the physician agrees. -However, the resident client and/or family must be advised in advance that the Medicaid program cannot pay for unauthorized leave days. -Any agreements regarding such leaves shall be between the resident client and/or the family and the facility. -All such agreements must be in writing, and must demonstrate the knowing, informed and voluntary consent of the resident client and/or the resident's client's family to the agreement, and must be available at all times in the resident's client's chart for audit purposes.
6. The Department of Health and Human Services may review resident patient records of those residing in nursing long-term care facilities and Intermediate Care Facility for Individuals with Intellectual Disabilities. -If, as a result of a review, excessive leaves of absence come to the attention of the Department of Health and Human Services, the facility will be required to return to the Department of Health and Human Services the payments made for those days of leave determined to be excessive.

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