



# Nursing Home Care Fraud

## Tips for Protecting Yourself and Medicare

### Medicare Coverage for Nursing Home Care

Medicare doesn't generally pay for long-term nursing home care. Medicare Part A covers medically necessary, short-term care in a skilled nursing facility (SNF) under certain conditions. Part A covers a semiprivate room, medical supplies used in the facility, meals, and other items.

To be eligible for nursing home coverage, Medicare requires you to meet certain criteria such as, but not limited, to:

- You have a qualifying inpatient hospital stay of at least three days before entering the SNF.
- You stay at a Medicare-certified SNF.
- Your doctor orders and you receive inpatient skilled nursing or rehabilitation services on a daily basis. The daily skilled care you need can only be provided in a SNF on an inpatient basis because it is not available on an outpatient basis in the beneficiary's area or transportation to the closest facility would be an excessive physical hardship, less economical, or less efficient.
- You are enrolled in Part A with days left in your benefit period. (*Note: If you are unsure of how many days you have left in your benefit period, call 1-800-Medicare.*)
- You need treatment for a medical condition treated in the hospital or for conditions, such as bed sores, you develop in the SNF.

### What are Examples of Medicare Nursing Home Care Fraud?

- Medicare was charged for:
  - Services that were not deemed medically necessary by your doctor
  - Therapy services or visits that were billed to Medicare but were not provided
  - More expensive services than what you were provided
  - More therapy than what you were provided
  - Skilled nursing services for dates after you were released from the SNF
- You are forced to remain in a SNF until your Part A benefits have expired even though your condition has improved and you wish to change to home health care services.

## What Can You Do to Stop Nursing Home Care Fraud?

- Read your Medicare Summary Notice (MSN) or Explanation of Benefits (EOB) to compare the services Medicare was charged with what you received.
- Be sure you work with your doctor to enroll you in any SNF therapy services you may need and to determine medical necessity for these services.
- Do not accept gifts (such as money, gift cards, or groceries) in return for choosing a nursing home in which to receive skilled nursing.
- Do not sign forms that you do not understand, including a Medicare Outpatient Observation Notice (MOON), an Advance Beneficiary Notice (ABN), or any form that is blank.
- Report charges on your MSN or EOB for services or visits you did not receive.
- Report charges on your MSN or EOB for services that are different than what you received.
- Report quality-of-care complaints to your local SMP and the Beneficiary Family Centered Care Quality Improvement Organization (BFCC-QIO).

## Differences Between Home Health/Skilled Care and Nursing Home Care

Medicare coverage for home health does not include round-the-clock nursing care or some services considered custodial in nature. Home health aides can, however, provide some personal care services, including help with bathing, dressing, hygiene, and feeding, as long as the patient also needs intermittent skilled nursing or therapy. These personal care services are not automatically covered just because you receive home health care services. A doctor must certify your need for them. Talk to your doctor about what services are necessary and right for you.

## How Your Senior Medicare Patrol (SMP) Can Help

Your local SMP is ready to provide you with the information you need to **PROTECT** yourself from Medicare fraud, errors, and abuse; **DETECT** potential fraud, errors, and abuse; and **REPORT** your concerns. SMPs and their trained volunteers help educate and empower Medicare beneficiaries in the fight against health care fraud. Your SMP can help you with your questions, concerns, or complaints about potential fraud and abuse issues. It also can provide information and educational presentations.

To locate your state Senior Medicare Patrol (SMP):  
Visit [www.smpresource.org](http://www.smpresource.org) or call 1-877-808-2468.

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