



COMMISSIONER
Jon Weizenbaum

August 11, 2015

To: Medicaid Hospice Providers

Subject: Information Letter 15-48
Amendments to Title 40 Texas Administrative Code, Chapter 30, §30.14, Certification of Terminal Illness and Record Maintenance

The purpose of this letter is to inform Hospice providers of amendments made to Title 40 Texas Administrative Code (TAC), Chapter 30, §30.14, Certification of Terminal Illness and Record Maintenance, that became effective on April 29, 2015. The purpose of the amendments is to align the TAC rules with the Code of Federal Regulations, Title 42, §418.22 requirements. Please review these changes carefully.

40 TAC §30.14(a)(2) Periods of care

- The initial certification can be completed prior to the initiation of hospice care.
- The initial certification is not to be signed and dated sooner than 15 days prior to the start of the initial period of care.
- Form 3074, Physician Certification of Terminal Illness, is to be completed and signed prior to the submission of a request for payment.
- For recertification periods, Form 3074 is not to be signed and dated more than 15 days prior to the start of the new care period.

40 TAC §30.14(c)(1) Sources of certification - initial care period

The initial period of care requires a written or oral certification statement from:

- the Medical Director of the hospice, or
- a physician who is a member of the hospice interdisciplinary group, **and**
- the physician, who the individual or his representative, identified as the primary medical care provider, if he has identified a provider.

40 TAC §30.14 (e) Face-to-Face assessment

The face-to-face assessment for recertification:

- must not occur more than 30 days prior to the start of the new care period.
- for an individual who is dually eligible for Medicare and Medicaid, a Medicare face-to-face assessment will satisfy the requirement for the required Medicaid face-to-face assessment.

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Please address questions and requests for additional information to hospice@dads.state.tx.us.

Sincerely,

[signature on file]

Lisa Akers-Owen

Director

Community Services and Program Operations

LAO: slr