

STATE OF LOUISIANA

PAYMENTS FOR MEDICAL AND REMEDIAL CARE AND SERVICES

METHODS FOR PAYMENT FOR RESERVING BEDS DURING A RECIPIENT'S ABSENCE FROM AN INPATIENT FACILITY

CITATION

42 CFR 447.40

PAYMENT FOR RESERVATION OF BEDS

A temporary absence of a **beneficiaryrecipient** from a facility (nursing facility or ICF/IID) shall not interrupt the monthly payment to the facility, provided the facility keeps a bed available for the **beneficiaryrecipient** subject to the limitations outlined in I and II below.

The period of absence is determined by counting, as the first day of absence, the day the **beneficiaryrecipient** left the facility. Only a period of 24 hours or more shall be considered an absence. Absences for 23 hours or less, on a consistent basis, could jeopardize continued medical certification for the resident.

The Louisiana Department of Health, Health Standards Section, shall determine whether hospitalization is for an acute condition or if a **beneficiaryrecipient**'s plan of care provides for leaves of absence.

I. Leave Days for Residents of ICF/IID Facilities

- A. For residents of ICF/IID facilities, the bed is reserved for up to seven days per hospitalization for treatment of an acute condition. Hospital leave days are reimbursed at 75-85 percent of the current applicable ICF/IID per diem rate.
- B. The bed of a resident of an ICF/IID facility is reserved for up to 45 leave of absence days per **beneficiaryrecipient** per state fiscal year, with a 30-day limit per temporary absence per **beneficiaryrecipient** when permitted by the **beneficiaryrecipient**'s plan of care. A paid leave of absence is defined as any temporary stay outside of the facility provided for in the **beneficiaryrecipient**'s plan of care. The count of utilized leave days begins on July 1 of each year and runs through June 30 of the following year.

Leave days covered under the 45-day limit include visits with relative(s) or friend(s) and camp days. Leave days for the following purposes shall be excluded from the annual 45-day limit, but are still limited to 30 days per occurrence per **beneficiaryrecipient**, and shall be included in the written plan of care:

- (1) Special Olympics;
- (2) Road Runners Club of America events, including but not limited to events intended to raise money to help ICF/IID **beneficiariesrecipients** participate in the Special Olympics;
- (3) Louisiana planned conferences such as, but not limited to, those sponsored by the Community Residential Services Association (CRSA), a consumer driven support system that advocates choices for persons with disabilities;
- (4) Trial discharge leaves - fourteen days per occurrence;
- (5) Official state holidays; and
- (6) Two days for bereavement of close family members, as outlined below:

parent	stepparent	stepsister
child	stepchild	grandparent
spouse	mother-in-law	grandchild
brother	father-in-law	
sister	stepbrother	

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- C. ~~Effective for dates of service on or after February 20, 2009, the reimbursement to non-state ICF/IID for leave of absence days is 75-85 percent of the current applicable per diem rate on file as of February 19, 2009.~~ Effective for dates of service on or after July 15, 2022 the reimbursement to non-state ICF/IID for leave of absence days is 75-85 percent of the current applicable per diem rate ~~on file as of February 19, 2009.~~
- D. Effective for dates of service on or after March 11, 2020, any leave of absence during a declared federal public health emergency by the Department of Health and Human Services (HHS) will be excluded from both the annual 45-day limit and the 30-consecutive day limit, as long as the leave of absence is included in the written habilitation plan.

II. Leave Days for Residents of Nursing Facilities

- A. For each Medicaid beneficiaryrecipient, nursing facilities shall be reimbursed for up to seven hospital leave of absence days per occurrence per year, and 15 home leave of absence days per year when permitted by the beneficiaryrecipient's plan of care. These days are recomputed annually beginning on January 1 of each year.
- B. The reimbursement for hospital leave of absence days is 75 percent of the applicable per diem rate.
- C. Nursing facilities with occupancy rates under 90 percent. Effective for dates of service on or after February 20, 2009, reimbursement for hospital and home leave of absence days will be reduced to 10 percent of the applicable per diem rate in addition to the nursing facility provider fee.
- D. Nursing facilities with occupancy rates equal to 90 percent or greater.
 - 1. Effective for dates of service on or after February 20, 2009, the reimbursement paid for home leave of absence days will be reduced to 90 percent of the applicable per diem rate, which includes the nursing facility provider fee.
 - 2. Effective for dates of service on or after March 1, 2009, the reimbursement for hospital leave of absence days shall be 90 percent of the applicable per diem rate, which includes the nursing facility provider fee.
 - 3. Effective for dates of service on or after July 1, 2013, the reimbursement paid for leave of absence days shall be 10 percent of the applicable per diem rate in addition to the provider fee amount. The provider fee amount shall be excluded from the calculations when determining the leave of absence days payment amount.
- E. Occupancy percentages will be determined from the average annual occupancy rate as reflected in the Louisiana Inventory of Nursing Home Bed Utilization Report published from the period six months prior to the beginning of the current rate quarter. Occupancy percentages will be updated quarterly when new rates are loaded and shall be in effect for the entire quarter.