***Commonwealth of Massachusetts***

***Executive Office of Health and Human Services***

***Office of Medicaid***

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MassHealth

# Home Health Agency Bulletin 86

June 2023

**TO**: Home Health Agencies Participating in MassHealth

**FROM**: Mike Levine, Assistant Secretary for MassHealth [signature of Mike Levine]

**RE:** **Updates to MassHealth Home Health Appendices, including for Dual-Eligible Billing**

## Introduction

This bulletin clarifies billing for dual-eligible members receiving home health services. This update aligns with the current [Centers for Medicare and Medicaid Services (CMS) Manual Guidelines](https://www.cms.gov/regulations-and-guidance/guidance/manuals/downloads/clm104c30.pdf) for the Advanced Beneficiary Notice (ABN) and adopts the applicable CMS ABN form.

## Billing for Dual-Eligible Members

**General rule:** The CMS Manual Guidance directs home health agencies to bill Medicare for services provided to dual-eligible members prior to billing Medicaid as the payor of last resort. Exceptions to this general rule are identified in Appendix D: *Supplemental Instructions for Third-Party Liability Exceptions*. Claims subject to the general rule should be billed to Medicare and, if denied, subsequently billed to Medicaid. When such claims are billed to MassHealth, the claims must include the Explanation of Benefits (EOB) reflecting Medicare’s denial.

**Exception to the general rule:** Providers do not have to bill Medicare prior to billing MassHealth for members who are not homebound (i.e., member is not confined to place of residence).

For claims meeting this exception, providers may submit a claim to MassHealth without a Medicare EOB.

## CMS Manual Guidance and Questions

## Guidelines for completing the ABN can be found in Section 50 of the [Medicare Claims Processing Manual, 100-4, Chapter 30 (PDF)](https://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/Downloads/clm104c30.pdf).

* Instructions regarding the ABN form can be found in [ABN Form Instructions (cms.gov)](https://www.cms.gov/medicare/medicare-general-information/bni/downloads/abn-form-instructions.pdf).
* Questions regarding the ABN and Guidance should be submitted at <https://appeals.lmi.org/>.
* Questions regarding Medicaid/MassHealth may be directed to the Long Term Services and Supports (LTSS) Provider Service Center.

## MassHealth Website

This bulletin is on the [MassHealth Provider Bulletins](http://www.mass.gov/masshealth-provider-bulletins) web page.

[Sign up](https://www.mass.gov/forms/email-notifications-for-masshealth-provider-bulletins-and-transmittal-letters) to receive email alerts when MassHealth issues new bulletins and transmittal letters.

## Questions

If you have questions about the information in this bulletin, please contact the Long Term Services and Supports (LTSS) Provider Service Center.

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