

## CMS EXTENDS 2-MIDNIGHT RULE ENFORCEMENT DELAY

Yesterday, CMS posted the following update to its Inpatient Hospital Reviews page:

### UPDATES 5-12-2014

*On April 1, 2014, The President signed the Protecting Access to Medicare Act of 2014. Section 111 of this law:*

- 1. Permits CMS to continue medical review activities under the MAC Probe & Educate process through March 31, 2015, and*
- 2. Prohibits CMS from allowing the Recovery Auditors to conduct inpatient hospital patient status reviews on claims with dates of admission October 1, 2013 through March 31, 2015.*

*Prior to the passage of this law:*

- 1. CMS had planned to operate the MAC Probe and Educate process until at least September 30, 2014, and*
- 2. CMS had prohibited the Recovery Auditors from conducting inpatient hospital patient status reviews on claims with dates of admission October 1, 2013 through September 30, 2014.*

*CMS will continue the Probe & Educate process through March 31, 2015, and will continue to prohibit Recovery Auditor inpatient hospital patient status reviews for dates of admission occurring between October 1, 2013 and March 31, 2015.*

*As of May 12, 2014, MACs have completed most first probe reviews, of 10 (or 25) claims, for providers within their jurisdiction, and are beginning to provide educational information related to the first probe period findings.*

The CMS webpage can be found [here](#).

If you have any questions about this post or the 2-Midnight Rule, please contact Regan E. Tankersley at [rtankersley@hallrender.com](mailto:rtankersley@hallrender.com) or your regular Hall Render attorney.