

# Exceptions to Timely Filing of the Notice of Election

- ▶ Timely-filed hospice NOEs shall be filed and accepted within 5 calendar days after the hospice admission date.
- ▶ If a hospice fails to file a timely-filed NOE, there are four circumstances that may qualify the hospice for an exception to the consequences of filing the NOE more than 5 days after the admission date. They are:
  - ▶ 1. fires, floods, earthquakes, or other unusual events that inflict extensive damage to the hospice's ability to operate;
  - ▶ 2. an event that produces a data filing problem due to a CMS or A/B MAC (HHH) systems issue that is beyond the control of the hospice;
  - ▶ 3. a newly Medicare-certified hospice that is notified of that certification after the Medicare certification date, or which is awaiting its user ID from its A/B MAC (HHH); or,
  - ▶ 4. other circumstances determined by the A/B MAC (HHH) or CMS to be beyond the control of the hospice.

Source: CMS Claim Processing Manual 20.1.1