

Veterans Health Administration White Paper
OMB No. 2900-0160 Pilot Non-Substantive Change
October 2014

Background

Title 38, CFR Part 51, provides for the payment of per diem to State homes that provide nursing home care to eligible veterans. Title 38, CFR Part 52, provides for the payment of per diem to State homes that provide adult day health care to eligible Veterans. The intended effect of these provisions was to ensure that Veterans receive high quality care in State Homes. To ensure that high quality care is furnished to veterans, VA requires those facilities providing nursing home care and adult day health care programs to Veterans to supply various kinds of information. The information required includes an application for recognition based on certification; appeal information, application and justification for payment; records and reports which facility management must maintain regarding activities of residents or participants; information relating to whether the facility meets standards concerning residents' rights and responsibilities prior to admission or enrollment, during admission or enrollment, and upon discharge; the records and reports which facilities management and health care professionals must maintain regarding residents or participants and employees; various types of documents pertaining to the management of the facility; food menu planning; pharmaceutical records; and life safety documentation.

Modification

President Obama signed into law on August 6, 2012, Public Law 112-154, Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (the Act). Section 105; contracts and agreements for nursing home care apply to the VA State Home Per Diem Program. The Act required that rates of payments for certain eligible service connected Veterans be "based on a methodology, developed by the Secretary in consultation with the State home, to adequately reimburse the State home for the care provided." The law authorizes the VA to change the current payment methodology for highly service connected Veterans in need of nursing home care. VA published an interim final Rule (RIN 2900-AO57) amending 38 CFR 51.41 to implement this methodology. Thus, VA revised invoicing VA Form 10-5588. Enhancements to VA Forms 10-10SH and 10-5588 have been made to assist State Home and VAMC staff in completing the form. Additional changes to form 10-5588 are required to account for new per diem payment methodologies that will be available for State Homes as a result of the implementation. A new form is VA Form 10-5588A, Claim for Payment for Nursing Home Care Provided to Veterans Awarded Retroactive Service Connection. Revisions are intended to provide clarity in completing the forms and reducing burden hours in completing the forms. VA Form 10-5588A was developed as requested by State Homes to reduce burden hours in completing a payment claim for multiple Veterans.

VA also clarified the wording for VA Form 10-10SH in the VA authorization for payment section. The revision to VA Form 10-10SH and addition of an instruction sheet enables the State Home Program Office to improve the language in the revised data fields of the administrative and clinical authorization section and reduces the likelihood of errors leading improper payments.