



RON DESANTIS
GOVERNOR

MARY C. MAYHEW
SECRETARY

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CMS Grants Expanded Ability for Hospitals to Offer Long-term Care Services (“Swing-Beds”) for COVID-19 Patients

Governor DeSantis recently sent a [letter](#) to the Centers for Medicare and Medicaid Services (CMS) to allow hospitals to bill Medicare for a lower acuity hospital stay or establish a rate that may be used in these instances such as an inpatient rehabilitation facility rate. On Friday, CMS announced they are providing increased flexibility for hospitals to establish skilled nursing facility (SNF) swing beds payable under the SNF prospective payment system (PPS) to provide additional options for hospitals with patients who no longer require acute care but are unable to find placement in a SNF.

In order to qualify for this waiver, hospitals must:

- Not use SNF swing beds for acute level care.
- Comply with all other hospital conditions of participation and those SNF provisions set out at 42 CFR 482.58(b) to the extent not waived.
- Be consistent with the state’s emergency preparedness or pandemic plan.

Hospitals must call the CMS Medicare Administrative Contractor (MAC) enrollment hotline to add swing bed services. The hospital must attest to CMS that:

- They have made a good faith effort to exhaust all other options;
- There are no skilled nursing facilities within the hospital’s catchment area that under normal circumstances would have accepted SNF

- transfers, but are currently not willing to accept or able to take patients because of the COVID-19 public health emergency (PHE);
- The hospital meets all waiver eligibility requirements; and
 - They have a plan to discharge patients as soon as practicable, when a SNF bed becomes available, or when the PHE ends, whichever is earlier.

To see the full announcement from CMS and further details (page 7-8 of announcement) please use this link:

<https://www.cms.gov/files/document/summary-covid-19-emergency-declaration-waivers.pdf?fbclid=IwAR3aK0ozbU5e70MlixpD1QSjZfMUWbBeKE6bTcz-dxWLSaOeXjNQJLj4nKI>

Agency resources related to COVID-19 can be accessed on the Agency's COVID-19 alerts for facilities and Medicaid providers website: http://ahca.myflorida.com/covid-19_alerts.shtml.

The Agency for Health Care Administration is committed to better health care for all Floridians. The Agency administers Florida's Medicaid program, licenses and regulates more than 44,000 health care facilities and 53 health plans, and publishes health care data and statistics at www.FloridaHealthFinder.gov. Additional information about Agency initiatives is available via [Facebook \(AHCAFlorida\)](#), [Twitter \(@AHCA_FL\)](#) and [YouTube \(/AHCAFlorida\)](#).