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| TITLE | CMS 1135 Blanket Waiver: Expanded Ability for Hospitals to Offer Long-term Care Services (“Swing-Beds”) for Patients Who do not Require Acute Care but do Meet the Skilled Nursing Facility (SNF) Level of Care Criteria |
| TODAY’S DATE | December 11, 2020 |
| SECTION | Organization Wide  Emergency Department  Inpatient Ambulatory  Nursing Medical staff [physicians and advance care practitioners] |

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| APPLICABLE LOCATIONS | All Bozeman Health locations  Bozeman Health Deaconess Hospital  Big Sky Medical Center  Belgrade Clinic + UrgentCare  Hillcrest Senior Living  b2 UrgentCare b2 MicroCare |

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| CONTRIBUTORS | Compliance |
| APPROVED BY | Incident Command Swingbed Taskforce |
| APPROVAL DATE | December 11, 2020 |

**PURPOSE:**

In response to the national emergency taking effect on March 1, 2020, regulatory agencies have taken action to, offer health care providers, employers, business and organizations certain flexibilities to ensure continued access to necessary health care and to relieve the financial burden on health care providers to meet the increased demand for urgent health care.

As part of these efforts, CMS has approved a waiver to allow hospitals to make swing bed admissions during the COVID-19 Public Health Emergency (PHE), when the hospital might not otherwise meet all of the regulatory requirements for swing bed admissions. Under this waiver, the hospital must have a plan to discharge swing bed patients as soon as practicable, when a skilled nursing facility (SNF) bed becomes available, or when the PHE ends, whichever is earlier.

**POLICY:**

Each hospital may establish SNF swing beds, using this waiver, to provide additional options for patients who no longer require acute care but are unable to find placement in a SNF. Deaconess Hospital and Big Sky Medical Center (BSMC) will be substantially in compliance the SNF requirements, 42 CFR Section 482.58(b)) and 485.645, which include:

* Resident Rights;
* Admission, Transfer and Discharge Rights;
* Freedom from Abuse, Neglect and Exploitation;
* Social Services;
* Discharge Summary Requirements;
* Special Rehabilitative Services; and
* Dental services.

In addition to the SNF requirements identified above, each hospital must:

* **Not** bill for SNF services when patients require an acute level of care or continued acute care at any time while the waiver is in effect;
* **Notify** the State Licensure Division of its decision to add swing bed services;
* **Request Approval** from Noridian by contacting the enrollment hotline to add swing bed services
* **Attest** to the following:
  + Good faith effort will be made to exhaust all other options;
  + There are SNFs within the hospital’s catchment area that under normal circumstance 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
  + The hospital meets all waiver eligibility requirements; and
  + The hospital has a plan to discharge patients as soon as practicable, when a SNF bed becomes available, or when the PHE ends, whichever is earlier.

This waiver will allow each hospital to bill for inpatients who require a SNF level of care, but due to the PHE are unable to place.

When there are SNF placement issues, the waiver may be utilized in the following ways:

* Deaconess Hospital may:
  + discharge Deaconess Hospital inpatients and admit to Deaconess Hospital swing bed
  + discharge Deaconess Hospital inpatients and admit to BSMC swing bed
  + admit patients to a Deaconess Hospital swing bed
  + discharge Deaconess Hospital observation patients and admit to Deaconess Hospital swing bed
  + may admit Deaconess Hospital emergency department patients to Deaconess Hospital swing bed
  + may discharge Deaconess Hospital inpatients and admit to Deaconess Hospital Alternate Care Site (ACS) swing bed
* Deaconess Hospital ACS may
  + discharge Deaconess Hospital ACS inpatients and admit to Deaconess Hospital ASC swing bed
  + admit patients to Deaconess Hospital ACS swing beds
* BSMC may:
  + discharge BSMC inpatients and admit to BSMC swing bed
  + admit patients to BSMC swing bed
  + discharge BSMC observation patients and admit to BSMC swing bed
  + may admit BSMC emergency department patients to BSMC swing bed

**OTHER POLICIES/PROTOCOLS TO REFERENCE:**

Swing Bed Criteria

Swing Bed Billing Requirements

Swing Bed Comprehensive Resident Assessment

COVID ACS & Swing Bed Documentation Flow

Swing Bed Accounting and Cost Report Standard Operating Procedures

Admit to Swing Bed Process-Patient Access

Admit to Swing Bed Admission Process- Provider

Admit to Swing Bed Process-Nurse

**SCOPE:**

We anticipate these adjustment to be temporary and reserve the right to revise or discontinue these adjustments with or without notice depending on the current understanding and/or business needs of Bozeman Health relating to COVID-19.