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Editors: [Leslie Demaree Goldsmith](#) and [Carel T. Hedlund](#)

CMS Announces Access to Medicare DSH Eligibility Data

By: [Leslie Demaree Goldsmith](#)

In a posting to those on the Medicare acute care hospital list serve and on the CMS website, CMS announced the availability of DSH eligibility data to hospitals that receive DSH payments. Medicare enrollment information will be available to hospitals for their patients. Specifically, hospitals will have access to information about their hospital patients regarding whether a patient is entitled to Medicare Part A benefits, enrolled in a Medicare managed care plan or has Medicare as a secondary insurance.

This information will help hospitals to identify patient days data to include in their Medicare DSH calculation. The Medicare DSH statute prohibits hospitals from including Medicaid eligible patient days in the numerator of the DSH Medicaid Fraction, if patients were also entitled to Medicare Part A benefits for those same days. CMS also prohibits inclusion of Medicaid eligible days in the numerator of the Medicaid Fraction if the days also qualify as Medicare managed care days, Medicare Part A exhausted days or Medicare secondary payor days, as CMS views these days as all Medicare Part A entitled. The issue of whether these types of days are Medicare Part A days and must be excluded from the numerator of the Medicaid Fraction is under litigation and not fully resolved.

Hospitals that wish to receive the DSH eligibility information are instructed to contact the Medicare help desk Monday through Friday from 7:00 am through 9:00 pm at 1-866-324-7315 or to send an email to <mailto:mcare@cms.hhs.gov>. A copy of the list serve posting can be found here: www.ober.com/files/CMS-listserv.pdf, and a link to the CMS website with the posting is www.cms.gov/AcuteInpatientPPS/05_dsh.asp.

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Ober|Kaler's Comments

It is not clear what years' data is available and whether this is the data that CMS will be using for DSH purposes. However, hospitals should take the opportunity to review their patients' data, determine whether it is accurate and reliable data, and then decide if and how they wish to use it.