



Aetna Better Health® of Virginia (HMO D-SNP)

*Provider communication*

## Medicare Outpatient Observation Notice Requirement

Developed by the Centers for Medicare & Medicaid (CMS), the Medicare Outpatient Observation Notice (MOON) serves as the standardized notice used by hospitals and critical access hospitals (CAH) to notify Medicare patients who receive more than 24 hours of observation services that their hospital stay is outpatient, not inpatient. You must provide the MOON to these patients no later than 36 hours after services begin.

### How to comply

- Providers should have begun issuing the MOON effective **March 8, 2017**. Provider compliance with this notification requirement is mandatory.
- Deliver a hard copy of the MOON to beneficiaries and enrollees.
- Obtain the signature of the individual on the MOON or an individual acting on behalf of the patient.
- Retain a copy of the signed MOON. You may store the MOON electronically if you keep electronic medical records.
- Give the beneficiary a paper copy of the signed MOON, regardless of whether a paper or electronic version is issued, and whether the MOON is signed digitally or manually.

You may give the MOON by telephone in cases where the beneficiary has a representative who isn't physically present, as long as a hard copy is delivered to the representative.

The standard language for the MOON notice and instructions can be accessed on the CMS website at <https://www.cms.gov/Medicare/Medicare-General-Information/BNI/index.html>

### Background

On August 6, 2015, Congress enacted the Notice of Observation Treatment and Implication for Care Eligibility Act (NOTICE Act) Public Law 114-42, amending Section 1866(a)(1) of the Social Security Act (the Act) (42 U.S.C. 1395cc(a)(1)). The Act requires hospitals and CAH to give individuals (including Medicare Advantage enrollees) receiving observation services as outpatients for more than 24 hours written and oral notification that their hospital stay is outpatient, not inpatient. The MOON was created by CMS for use with persons entitled to Medicare benefits under Title XVIII of the Act.

### Questions?

If you have questions about this notice, we're here to help. Just call us at **1-855-463-0933**.

Sincerely,  
Provider Experience  
Aetna Better Health of Virginia (HMO D-SNP)