

**This Weekly Newsletter  
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**HOOK LAW CENTER**

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## **Hospital Admission Advisory**

Do you know the difference between being admitted to a hospital as an INPATIENT or as someone UNDER OBSERVATION? If you're eligible for Medicare, the difference can be very costly. Consider the scenario of Laraine Sickels, a retired teacher from Whidbey Island, Washington. At 71 she went to the hospital because she had fallen at a friend's house. It was determined that she had 3 breaks to her pelvis. She spent 5 days in the hospital, but during that time she was only considered "under observation." Unaware of this, when it came time to be discharged, she was released to a skilled nursing facility. That's where the problem started. She got good care there, but because she had not been spent 3 days in a hospital as an inpatient, her 10-day stay at the skilled nursing facility was hers to pay. Medicare covers the first 20 days in a skilled nursing facility completely as long as you've been in the hospital at least 3 days classified as "inpatient". In addition, that same patient who was classified as "inpatient" will pay for days 21-100 at the skilled nursing facility at the rate of \$144.50, a fraction of the true cost. (Amanda Gengler, "This could hurt--a lot," Money Magazine, August 2012, p. 72-3)

So what's happening? Well, Medicare is attempting to trim expenses. One way they've decided to do this is that, for certain cases, the patient who may have only one ailment gets classified as "under observation" while tests are run. This classification allows them to reimburse hospitals at a lower rate. "In 2009, the most recent data available, observation stays topped 1 million, up 25% from 2007, according to a study published by researchers at Brown University." (Gengler, p. 72) From their point of view, your care is the same. Medicare just winds up paying a lot less.

## **Hospital Admission Advisory (con't.)**

So how can you ensure that you will have the favorable classification of "inpatient?" Well, first of all, you must ask what your classification is. If it is not "inpatient" then you must ask that your doctor review your situation and possibly take it to a hospital review committee. The time to get your status changed is while you are in the hospital, not after discharge, when it is impossible. Make sure everyone is aware of your past medical history or other risk factors which may favorably influence the classification. (Gengler, p. 74-75)

If you still remain "under observation," you have the option upon discharge of receiving home help, if that is a workable option. Medicare will cover some in-home help, even if you weren't "inpatient." Also, if you must go to the nursing home to recuperate, you can ask the nursing home to bill Medicare. That gets you in the system. You will be denied by Medicare, but after 2 denials, your case then goes to an administrative law judge. At that point, you will need the doctor involved in your care to testify or write a letter on your behalf. You may also want to consider help from an elder law attorney or from the nonprofit Center for Medicare Advocacy at medicareadvocacy.org. (Gengler, p. 74-75) The attorneys at Hook Law Center are experts in Medicare advocacy.



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## **ASK KIT KAT: Hypoallergenic Cats?**

Hook Law Center: Kit Kat, do hypoallergenic pets really exist?

Kit Kat: Well, that's an interesting question. A completely hypoallergenic pet does not really exist, but there are some pets that are less-allergy provoking than others. For instance, the Portugese water dog, like the Obama family has or certain breeds of cats like the Balinese, Oriental shorthair, or Javanese are less allergy-provoking. Most people think it is the fur that is the problem, but that's not true. It is a protein in the pet's skin, urine, and saliva that cause the allergy. Also, in the case of us cats, males cause higher levels of allergies than females. Also, dark-colored cats cause more problems for allergy sufferers than light-colored ones. So an allergy-prone person could choose a light-colored female to reduce an allergic reaction.

But what else can be done to minimize suffering for allergy-prone people who might be visiting where a pet is present? #1 is to keep the pet away from the place where the person will be sleeping. #2 is to vacuum frequently. #3 is to wash linens frequently in hot water over 130 degrees. #4 is to avoid heavy or floor-length curtains. Shutters or decorative shades can be an alternative. #5 is to keep dust to a minimum. (Information for this column taken from [www.catster.com](http://www.catster.com) and Catherine Price, "What's going on inside your pet's head?" Parade Magazine, July 8, 2012)

So, do everything you can to make it possible to have us in your homes. We pets love our humans!

## Upcoming Seminars

Hook Law Center is presenting a Veterans Aid & Attendance Seminar on September 27<sup>th</sup> at Churchland House, 4916 West Norfolk Road, Portsmouth, Virginia 23703. To R.S.V.P. for this seminar, please call 757-483-1780 or 757-399-7506. For more information on other upcoming seminars, please visit [hooklawcenter.com/resources/upcoming-seminars.html](http://hooklawcenter.com/resources/upcoming-seminars.html) or call (757) 399-7506.

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