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**TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES**

**Final Rule**

LSA Document #09-202(F)

**DIGEST**

Adds [405 IAC 1-10.5-5](#) to set forth Medicaid reimbursement policy associated with specified hospital acquired conditions. Effective 30 days after filing with the Publisher.

**[405 IAC 1-10.5-5](#)**

SECTION 1. [405 IAC 1-10.5-5](#) IS ADDED TO READ AS FOLLOWS:

**[405 IAC 1-10.5-5](#) Hospital acquired conditions**

**Authority:** [IC 12-8-6-5](#); [IC 12-15](#)

**Affected:** [IC 12-15-15-1](#)

**Sec. 5. (a) This section applies to the following:**

- (1) Payment for inpatient stays reimbursed according to the DRG methodology.**
- (2) All inpatient hospital facility reimbursement provisions, including the following:**
  - (A) Medicaid supplemental payments.**
  - (B) Medicaid enhanced payments.**
  - (C) Medicaid disproportionate share hospital payments.**

**(b) The DRG to be assigned for an inpatient stay shall be a DRG that does not result in higher payment based on the presence of a hospital acquired condition that was not present on the date of admission. If a hospital acquired condition is not present on the date of admission, the discharge will be assigned to a DRG as though the hospital acquired condition was not present.**

**(c) Secondary diagnoses that are present on the date of admission must be designated as such as part of the claim information submitted by an inpatient hospital facility in order for Medicaid reimbursement to be made. Secondary diagnoses that are not present on the date of admission must be designated as such as part of the claim information submitted by an inpatient hospital facility in order for the diagnoses to be excluded for purposes of assigning the claim to a DRG.**

**(d) For purposes of this section, a "hospital acquired condition" means a condition associated with a diagnosis code selected by the Secretary of the U.S. Department of Health and Human Services pursuant to 42 U.S.C. 1395ww(d)(4)(D) and in effect on the date of admission.**

*(Office of the Secretary of Family and Social Services; [405 IAC 1-10.5-5](#); filed Aug 28, 2009, 3:38 p.m.: [20090923-IR-405090202FRA](#))*

*LSA Document #09-202(F)*

*Notice of Intent: [20090401-IR-405090202NIA](#)*

*Proposed Rule: [20090603-IR-405090202PRA](#)*

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*Small Business Regulatory Coordinator: Bridget McLaughlin, Office of Medicaid Policy and Planning, Indiana Family and Social Services Administration, Indiana Government Center South, 402 West Washington Street, Room W382, Indianapolis, IN 46204, (317) 232-4328, [bridget.mclaughlin@fssa.in.gov](mailto:bridget.mclaughlin@fssa.in.gov)*

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