Notice of Medicare Non-Coverage (NOMNC): What providers should know

Notice of Medicare Non-Coverage (NOMNC)
Medicare providers are responsible for the delivery of the NOMNC. You must deliver a NOMNC to all beneficiaries eligible for the expedited determination process, even if they agree with the termination of services. The NOMNC is two page document; while you may include your business logo and contact information at the top of the notice, this cannot cause a shift in text - the NOMNC must remain two pages.

You can find the notices and accompanying instructions linked [here](#) on the CMS website.

NOMNC Preparation and Delivery
When you prepare the NOMNC, you must use the OMB approved form (CMS-10123), and type or write in the appropriate fields:
- The patient's name
- The Medicare patient number
- The type of coverage (SNF, Home Health, CORF, or Hospice)
- The effective date (last day of coverage), which is always the last day beneficiaries will receive coverage for their services.

There are some exceptions to these required delivery timeframes:
- You may deliver the NOMNC earlier than two days preceding the end of covered services; however, its delivery should be closely tied to the impending end of coverage.
- You should not routinely give the notice at the time services begin,
unless the services are expected to last fewer than two days.

- You should deliver the NOMNC sooner than two days or the next to last visit before coverage ends when a beneficiary receiving home health services is unexpectedly found to no longer be homebound, and thus ineligible for covered home health care.

Finally, you must ensure that the beneficiary or representative signs and dates the NOMNC to demonstrate that they received the notice and understand that the termination decision can be disputed. If the beneficiary refuses to sign the NOMNC, you should annotate the notice to that effect, and indicate the date of refusal on the notice. The date of refusal is considered to be the date of notice receipt. Please note that beneficiaries who refuse to sign the NOMNC still remain entitled to an expedited determination.

**Delivery Options**

You may deliver NOMNC to representatives whom the beneficiary has authorized and appointed to act on their behalf during the appeal process.

- If you choose to contact the representative by telephone, the date you communicate the information is considered the NOMNC's receipt date.
- If you choose to communicate the information in writing, a hard copy of the NOMNC must be sent to the representative by certified mail, return receipt requested, or any other delivery method that can provide signed verification of delivery.
- As an alternative to both telephone or hardcopy contact, if both you and the representative agree, you may send the notice by fax or e-mail; however your fax and e-mail systems must meet the HIPAA privacy and security requirements.

Finally, in all cases of delivering the NOMNC, you must retain the original signed document in the beneficiary's file; and send the beneficiary copies of all notices that include all of the required information such as the effective date and covered service at issue.

Click [here](#) for a full transcript of the regulations provided by the CMS.