When a Medicare Advantage plan disregards a Medicare regulation, CMS wants to hear about it.

It is important to understand that any contractual arrangements you have with a MA plan can override a CMS regulation. So if your contract specifies that the Two Midnight Rule is not used to determine patient status, then it is not a MA abuse if they do not allow an inpatient admission at the second midnight. But if they refuse to cover a procedure that meets the NCD then that is an abuse.

If you are having an issue with a MA plan not properly following the appeal process, submit your complaint to <https://appeals.lmi.org/DAPMailbox>

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