

Explanation of Election for Medicare Benefits

The new Medicare legislation was enacted by Congress and signed into law by President Clinton on August 5, 1997. It was designed to accommodate the religious needs not only of Christian Scientists, but also of others who “rely upon a religious method of healing and for whom the acceptance of medical health services would be inconsistent with their religious beliefs.”

Thus it created a new category of Medicare provider, the “Religious Nonmedical Health Care Institution (RNHCI).”

Because these new laws represent a broader accommodation of religious beliefs, an individual must sign what is called an “election” form in order to be eligible for Medicare benefits for nonmedical nursing services. This form requires the individual seeking benefits to state that he or she is conscientiously opposed to acceptance of medical treatment and that acceptance of such treatment is inconsistent with his or her sincere religious beliefs.

Before Medicare can pay for nonmedical nursing services provided in a RNHCI, you (or your legal representative) must sign an election form and have it notarized.

The election takes effect when the form is signed and notarized and continues in effect until the election is revoked (canceled).

Your election for nonmedical nursing services will be revoked automatically if you later receive Medicare reimbursed medical treatment. (You may also revoke an election in writing.) However, your election will *not* be revoked if that medical treatment is not reimbursed by Medicare, is not voluntary (such as you are taken unconscious to a hospital) or is required by law.

After your election has been revoked, the law does permit you to make new elections, with the following restrictions.

- If you have made two separate elections and each has been revoked, you are not eligible to receive Medicare reimbursements for Christian Science nursing services at a RNHCI for *one year*.

(over)

- After two revocations, you may make a third election. If that is later revoked you will not be eligible to receive Medicare reimbursements for Christian Science nursing services for *five years*. The waiting period is then five years from that point on.

At all times you would be eligible for Medicare benefits for medical treatment.

Medicare beneficiaries are always free to choose either nonmedical nursing services or medical care, but alternating between nonmedical and medical services may affect whether Medicare pays for your stay in a RNHCI. The new provisions regulate only the conditions under which these services will qualify for Medicare *reimbursement*. The new provisions make no restrictions on Medicare coverage for *medical* treatment. But the provisions do affect whether Medicare will pay for *nonmedical* nursing services.

Therefore, once you have made an election for religious nonmedical health care (care received in a RNHCI) your eligibility for Medicare reimbursement will be determined by the above parameters. While Christian Scientists are free to choose either medical or nonmedical services, Medicare will not pay for both on a continuing basis.

It is important to note that not all Christian Science nursing care services received in a RNHCI qualify for Medicare benefits. There are strict guidelines established by Medicare and adhered to by a Utilization Review Committee (URC) that determine whether and for how long a patient's care needs qualify them to receive Medicare benefits.