

## Medicare Hospice Conditions of Participation Resource by Topic Series



### §418.78 MEDICARE HOSPICE CONDITION OF PARTICIPATION: VOLUNTEERS

#### Key points about this CoP:

- Volunteers must provide day-to-day administrative and/or direct patient care services in an amount that, at a minimum, equals 5 percent of the total patient care hours of all paid hospice employees and contract staff.
- These volunteers must be used in defined roles and under the supervision of a designated hospice employee.
- **Training requirements.**
  - The hospice must maintain, document, and provide volunteer orientation and training that is consistent with hospice industry standards.
  - There is no specified training program length in the federal regulations, but review your state hospice licensure regulations for any requirements. NHPCO's, "[Hospice Volunteer Program Resource](#)" suggests a 16-hour training program.
  - Consult NHPCO's, "[Hospice Volunteer Program Resource](#)" for a training program outline.
- **Role of the volunteer.**
  - Volunteers must be used in day-to-day administrative and/or direct patient care roles.
  - Volunteers are permitted to fulfill many roles in hospice care, including providing homemaker services, provided that the volunteers meet all qualifications and personnel requirements.
  - Volunteer services provided to the patient/family must be in the hospice plan of care.
- **Recruiting and retaining volunteers.**
  - The hospice must document and demonstrate viable and ongoing efforts to recruit and retain volunteers.
- **Demonstrating cost savings.**
  - The hospice must document the cost savings achieved through the use of volunteers. Documentation must include the following:
    - The identification of each position that is occupied by a volunteer.
    - The work time spent by volunteers occupying those positions.
  - Estimates of the dollar costs that the hospice would have incurred if paid employees occupied the positions.
  - There is no standard formula to calculate volunteer cost savings. Each hospice organization will determine its own formula and calculation method.

- **Standard: Level of activity.**
  - The hospice must maintain records on the use of volunteers for patient care and administrative services, including the type of services and time worked.
  - The regulations do not specify the types of activities a hospice organization can count towards the 5 percent cost savings beyond the requirement to use volunteers for patient care and administrative services. It is the discretion of the organization regarding types of activities to count.
    - i.e.: If a hospice pays an employee for time spent traveling for direct patient care and administrative purposes, and does not compensate a volunteer for the time, then it may include the volunteer's travel time, direct patient care and administrative services in its documentation of the cost savings it achieves.
  - Hospices may document the time that volunteers actually spend providing direct patient care and administrative services, because hospices would compensate paid employees for the time spent performing these duties.
  - Traveling, providing care or services, documenting information, and calling patients all consume volunteer time, and may be used in calculating the level of volunteer activity in a hospice.
    - **NOTE:** If a hospice chooses to include any of these areas that are directly related to providing direct patient care or administrative services in its percentage calculation of volunteer hours, it must ensure that the time spent by its paid employees and contractors for the same activity is also included in the calculation.

*(Numerator) = hours spent by volunteers traveling to and from patient homes*

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*(Denominator) = the hours spent by its paid employees and contractors traveling to and from patient homes*

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**Suggestions for implementing 418.78: Volunteers**

- ★ Review and revise current program policy/procedure to include new regulatory language.
- ★ Develop a tracking system for volunteer activities that will be counted towards the 5 percent calculation.
- ★ Develop a formula to calculate volunteer cost savings. NHPCO's, "[Hospice Volunteer Program Resource](#)" recommends using the Points of Light Institute website to determine volunteer hourly rates.
- ★ Educate hospice staff about all new and revised policies/procedures, processes, and performance improvement projects.

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**Survey Success Tips**

- Be prepared to present an organized, comprehensive volunteer program to the surveyor that demonstrates that your organization is compliant with the following requirements.
  - Training.
  - Recruiting and retention.
  - Demonstrating cost savings.
  - Utilizing volunteers for patient care and administrative services.
- Ensure that volunteers are sufficiently trained about infection control if they provide direct patient care services and HIPAA regulations.

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**Resources for success!**

- NHPCO's Regulatory & Compliance Center – "CoP's – Planning for Success" campaign
  - [www.nhpco.org/regulatory](http://www.nhpco.org/regulatory)

- NHPCO's, "[Hospice Volunteer Program Resource](#)"
- Point s of Light Institute - <http://www.pointsoflight.org/resources/research/calculator.cfm>
- Independent Sector - [http://www.independentsector.org/programs/research/volunteer\\_time.html](http://www.independentsector.org/programs/research/volunteer_time.html)

★ **Please note that hospice providers need to comply with the most stringent regulatory requirements. (federal or state)**

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**References:**

**Part II - Department of Health and Human Services, Centers for Medicare & Medicaid Services  
42 CFR Part 418. Medicare and Medicaid Programs: Hospice Conditions of Participation; Final  
Rule, June 5, 2008**

**Web link: <http://edocket.access.gpo.gov/2008/pdf/08-1305.pdf>**

Code of Federal Regulations: 42 CFR 418. Hospice Care

Weblink: