



MEDICAL COVERAGE POLICY

SERVICE: Custodial Care

Policy Number: 042

Effective Date: 09/01/2023

Last Review: 07/27/2023

Next Review Date: 07/27/2024

Important note:

Unless otherwise indicated, this policy will apply to all lines of business.

Even though this policy may indicate that a particular service or supply may be considered medically necessary and thus covered, this conclusion is not based upon the terms of your particular benefit plan. Each benefit plan contains its own specific provisions for coverage and exclusions. Not all benefits that are determined to be medically necessary will be covered benefits under the terms of your benefit plan. You need to consult the Evidence of Coverage (EOC) or Summary Plan Description (SPD) to determine if there are any exclusions or other benefit limitations applicable to this service or supply. If there is a discrepancy between this policy and your plan of benefits, the provisions of your benefits plan will govern. However, applicable state mandates will take precedence with respect to fully insured plans and self-funded non-ERISA (e.g., government, school boards, church) plans. Unless otherwise specifically excluded, Federal mandates will apply to all plans. With respect to Medicare-linked plan members, this policy will apply unless there are Medicare policies that provide differing coverage rules, in which case Medicare coverage rules supersede guidelines in this policy. Medicare-linked plan policies will only apply to benefits paid for under Medicare rules, and not to any other health benefit plan benefits. CMS's Coverage Issues Manual can be found on the CMS website. Similarly, for Medicaid-linked plans, the Texas Medicaid Provider Procedures Manual (TMPPM) supersedes coverage guidelines in this policy where applicable.

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PRIOR AUTHORIZATION: Not applicable.

POLICY:

For Commercial, Self-funded, and Medicare lines of business, BSWHP does **NOT** consider custodial care to be a skilled health care service, and therefore it is not a covered benefit. Custodial services are defined and specifically excluded from coverage in member evidence of coverage and summary plan documents

Medicaid lines of business: "Domiciliary, rest home, or custodial care services" are all benefits for Texas Medicaid plans.

Medicare definition of custodial Care: Nonskilled, personal care, such as help with activities of daily living like bathing, dressing, eating, getting in or out of a bed or chair, moving round, and using the bathroom. It may also include care that most people do themselves, like using eye drops. In most cases, Medicare doesn't pay for custodial care.

OVERVIEW: Custodial Care means care which does not require the continuous services of skilled or trained medical, paramedical, or allied health professional personnel.

Custodial care is designed to assist patients in meeting the activities of daily living and to maintain life and/or comfort. Examples of custodial care include, but are not limited to:

- Non-health-related services, such as domiciliary care and personal care/assistance in activities of daily living such as:
 - ✓ help in walking or getting in or out of bed;
 - ✓ assistance in bathing, dressing, feeding, and using toilet facilities;
 - ✓ preparation of diets and nutritional supplements,
 - ✓ provision of socially necessary services such as room and board;
- Services that do not require administration by trained medical personnel in order to be delivered safely and effectively, (medication preparation and administration and treatments that are self-administered);



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- Services as a result of court-ordered confinements, during which the patient’s ongoing medical treatment is continued but is secondary to the court ordered confinement.
- Services that can be trained by skilled personnel for non-skilled personnel to perform
- Health-related services which do not seek to cure or which are provided during periods when the medical condition of the patient who requires the service is not changing.

CMS: There are no NCDs or LCDs related to this coverage.

Medicare definition of custodial care: (<https://www.cms.gov/apps/glossary/default.asp?Letter=ALL> viewed 06/10/2022):

CODES:

CPT Codes	
CPT Not Covered	99509 Home visit for assistance with activities of daily living and personal care
ICD10 Not Covered	

POLICY HISTORY:

Status	Date	Action
New	01/01/2011	New policy
Reviewed	12/12/2011	Reviewed.
Reviewed	10/4/2012	Reviewed.
Reviewed	04/25/2013	No changes
Reviewed	03/27/2014	No changes
Reviewed	04/09/2015	No changes
Reviewed	04/14/2016	No changes
Reviewed	03/28/2017	No changes
Reviewed	02/20/2018	No changes
Reviewed	05/22/2019	No changes
Reviewed	07/30/2020	Updated language to include Medicaid
Reviewed	07/22/2021	No changes
Reviewed	06/23/2022	No changes
Reviewed	07/27/2023	No changes

Note: Health Maintenance Organization (HMO) products are offered through Scott and White Health Plan dba Baylor Scott & White Health Plan, and Scott & White Care Plans dba Baylor Scott & White Care Plan. Insured PPO and EPO products are offered through Baylor Scott & White Insurance Company. Scott and White Health Plan dba Baylor Scott & White Health Plan serves as a third-party administrator for self-funded employer-sponsored plans. Baylor Scott & White Care Plan and Baylor Scott & White Insurance Company are wholly owned subsidiaries of Scott and White Health Plan. These companies are referred to collectively in this document as Baylor Scott & White Health Plans.

RightCare STAR Medicaid plans are offered through Scott and White Health Plan in the Central Managed Care Service Area (MRSA) and STAR and CHIP plans are offered through SHA LLC dba FirstCare Health Plans (FirstCare) in the Lubbock and West MRSA's. Individual HMO plans are offered through FirstCare in West Texas.