



## 2728's and Acute Patients

### Did you know?

Acute patients, people who are expected to regain kidney function, are not eligible for coverage under the Medicare End Stage Renal Disease program? Facilities and physicians should never knowingly complete and sign a CMS 2728 Medical Evidence Form if that patient is expected to recover kidney function. You've heard the saying that "perception is everything", and Medicare could investigate this as a case of fraud.

Remember the Form 2728 has a "Physician Attestation" that reads as follows:

*I certify, under penalty of perjury, that the information on this form is correct to the best of my knowledge and belief. Based on diagnostic tests and laboratory findings, I further certify that this patient has reached the stage of renal impairment that appears irreversible and permanent and requires a regular course of dialysis or kidney transplant to maintain life. I understand that this information is intended for use in establishing the patient's entitlement to Medicare benefits and that any falsification, misrepresentation, or concealment of essential information may subject me to fine, imprisonment, civil penalty, or other civil sanctions under applicable Federal laws.*