

INSTITUTIONAL CARE BENEFIT

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AUTHORITY: [32 CFR 199.5\(c\)\(5\)](#)

I. PROCEDURE CODES

HCPCS Level III Code 98000: Residential care in public institutions

HCPCS Level III Code 98010: Residential care in private, non-profit institution

II. POLICY

A. Institutional care when the severity of the qualifying condition requires protective custody, custodial care, or training in a residential environment, may be cost-shared subject to all applicable PFPWD requirements.

B. In accordance with Title 10, Chapter 55, Section 1079(d)(4), United States Code, institutional care must be provided in private nonprofit, public and state institutions and facilities.

C. The requirements of [paragraph II.B.](#) notwithstanding, institutional care provided by a for-profit entity may be allowed only when the care for a specific PFPWD beneficiary:

1. Is contracted for by a public facility, as defined in [32 CFR 199.2](#), as part of a publicly funded long-term inpatient care program; and

2. Is provided based upon the PFPWD beneficiary's being eligible for the publicly funded program which has contracted for the care; and

3. Is authorized by the public facility as a part of a publicly funded program; and

4. Would cause a cost-share liability in the absence of CHAMPUS eligibility; and

5. Produces a PFPWD beneficiary cost-share liability that does not exceed the maximum charge by the provider to the public facility for the contracted level of care.

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