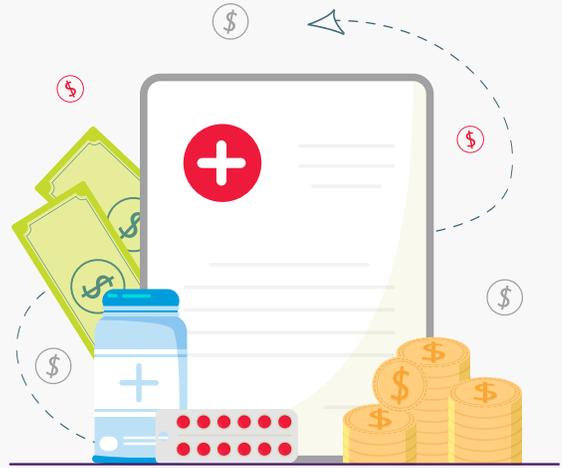


# Do Medicare and other payers deny payment for hospital services if a patient leaves against medical advice?



## DEBUNKING THE MYTH

Medicare generally covers hospital services rendered to patients who later leave the facility against medical advice.<sup>1</sup>

## BACKGROUND

When a Medicare patient leaves the hospital against medical advice, it can raise concerns about whether the care provided while at the hospital will still be covered by their insurance policy.

The AMA cannot verify or provide guidance on coverage for private payers. However, there is no evidence that any payer, including Medicare, denies coverage solely because a patient leaves against medical advice.<sup>2</sup>

In Medicare Part A, coverage for inpatient hospital services is determined by medical necessity, not by how or when the patient is discharged. For Medicare Part A beneficiaries, hospital stays under the Inpatient Prospective Payment System (IPPS) are typically payable if they meet the “two-midnight rule.” This means that if a physician reasonably expects a patient to require care spanning two midnights (supported by the medical record), that stay is generally payable.<sup>3,4</sup> Even if an unexpected event—such as a patient leaving against medical advice, transferring, or dying—causes a stay to be shorter than anticipated, the inpatient stay is still payable.<sup>3,5</sup> In the instance that a patient leaves against medical advice without transferring to another hospital or post-acute facility, Medicare pays the hospital the full Medicare Severity Diagnosis Related Group (MS-DRG) payment.

In cases where a patient is receiving outpatient care at a hospital, such as in the emergency department or for outpatient surgery, services would be covered under Medicare Part B, even if the patient leaves the hospital against medical advice.<sup>6</sup>

## Key takeaways

Health system leaders should ensure physicians know Medicare reimburses care even if patients leave against medical advice.

## Resources

- 2025 [Office of the Inspector General \(OIG\) Data Brief: Medicare Enrollees Left Acute-Care Hospitals Against Medical Advice at Increasing Rates](#). Accessed November 2025.
- 2025 [Medicare Program Integrity Manual: Chapter 6 - Medicare Contractor Medical Review Guidelines for Specific Services](#). Accessed November 2025.
- 2025 [VeryWellHealth Article: Leaving the Hospital Against Medical Advice](#). Accessed November 2025.
- 2015 [CMS Fact Sheet: Two-Midnight Rule](#). Accessed November 2025.
- 2012 JGIM Paper: [Financial Responsibility of Hospitalized Patients Who Left Against Medical Advice: Medical Urban Legend?](#) Accessed November 2025.

## References

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2. Schaefer GR, Matus H, Schumann JH, et al. Financial Responsibility of Hospitalized Patients Who Left Against Medical Advice: Medical Urban Legend? *Journal of General Internal Medicine*. 2012;27(7):825-830. doi:10.1007/s11606-012-1984-x
3. Centers for Medicare & Medicaid Services (CMS). Fact Sheet: Two-Midnight Rule. CMS. July 1, 2015. Accessed November 21, 2025. <https://www.cms.gov/newsroom/fact-sheets/fact-sheet-two-midnight-rule>
4. Centers for Medicare & Medicaid Services (CMS). 6.5.2.I: Reviewing Hospital Claims for Patient Status: The 2-Midnight Benchmark. *Medicare Program Integrity Manual Chapter 6 - Medicare Contractor Medical Review Guidelines for Specific Services*. CMS; 2020. <https://edit.cms.gov/Regulations-and-Guidance/Guidance/Manuals/Downloads/pim83c06.pdf>
5. Centers for Medicare & Medicaid Services (CMS). 6.5.2.I.C: Unforeseen Circumstances Interrupting Reasonable Expectation. *Medicare Program Integrity Manual Chapter 6 - Medicare Contractor Medical Review Guidelines for Specific Services*. CMS; 2025:27. <https://edit.cms.gov/Regulations-and-Guidance/Guidance/Manuals/Downloads/pim83c06.pdf>
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