

## Eli's Rehab Report

### **READER QUESTIONS: Set the Record Straight: Supervision in the Outpatient Hospital Setting**

Question: I've just landed a job directing an offsite, hospital-based rehab facility, and I'd like some clarification on physician supervision requirements. Our compliance officer just informed me that Medicare requires a physician to be in the building whenever a Medicare patient is getting outpatient therapy in a hospital-based facility. But our building is 10 miles away from the hospital, and we don't normally have physicians onsite.

I've never heard of this ruling before, and neither have my colleagues in hospital-based freestanding facilities. So, what is the most current rule for physician supervision in an outpatient rehab facility that's hospitalbased? Is there such a rule?

-- Vermont subscriber

Answer: The onsite physician supervision requirement applies to payment under the hospital Outpatient Prospective Payment System. Therapists in hospital settings, however, are not paid under OPPS. Instead outpatient therapy is reimbursed under the Medicare Physician Fee Schedule. So therapists would not fall under OPPS stipulations.

CMS clarified this topic in the 2010 OPPS Final Rule, issued on Oct. 30. The American Physical Therapy Association (APTA) also clarified the supervision issue in a news bulletin: "Physical therapy services delivered in an outpatient hospital department do not require the direct supervision of a physician," APTA said. "Physical therapy services are considered a separate benefit covered under the Medicare physician fee schedule through the Part B benefit. Therefore, they do not fall under the therapeutic services category that requires direct physician supervision under the OPPS."