

Eli's Rehab Report

Reader Questions: This Just in: New Aide and Tech Restrictions Go on Hold

Question: I remember seeing in the Nov. 27, 2007 Federal Register that aides and techs in skilled nursing facilities (Part A) and inpatient hospital settings could no longer perform services and call it therapy -- even under supervision. I also saw stated in the last issue that this goes into effect "beginning July 1, 2008." What is the latest CMS transmittal that spells out the specifics of this ruling? I have not heard anything yet.

-- Nevada Subscriber

Answer: The Nov. 27 Federal Register did state that aides and techs in SNF Part A and inpatient hospital settings would no longer be able to perform "therapy services" even under supervision, but CMS has not yet released manual guidance on this ruling. That means the July 1 implementation date is now obsolete. At the time the last issue was published, we were still expecting those guidelines to take effect July 1, 2008.

For now: Until CMS comes out with manual guidance, aides and techs in these settings may continue to perform their services as usual. Insiders predict that CMS will release its guidance some time "later this year." But in the meantime, it's a good idea to start planning for how you'll delegate tasks when aides and techs may not be able to do a lot of the things they're used to doing. The main intent of the November 27, 2007, final rule was to establish minimal qualification standards for therapists and assistants.