

MDS Alert

READER QUESTION: Can SNFs Still Count Rehab Provided by Therapy Aides?

Question: Our facility has heard rumors that changes in therapist assistant requirements mean we can't count Part A rehab minutes provided by therapy aides. Is this true?

Answer: "Misinformation in the industry led some people to think that SNFs could not count Part A therapy provided by aides under direct line of sight by a therapist," comments **Pauline Franko, PT, MCSP**, principal of Encompass Consulting & Education LLC in Tamarac, Fla. The rumors aren't accurate, however, which Franko confirmed by asking Centers for Medicare & Medicaid Services' representatives at a SNF/LTC Open Door Forum.

What is accurate: In the CY 2008 final physician fee schedule rule, CMS defined qualifications for a PT and PT assistant, and an OT and OT assistant, grandfathering those already licensed and practicing, says Franko. The final rule said that, effective Jan. 1, 2010, a therapist or therapist assistant that does not already have a license or has been practicing in a state that does not require licensure must now have graduated from an accredited program or meet other requirements (e.g., for internationally trained therapists), in order to treat Medicare patients, Franko notes.

CMS Transmittal 88 issued in May 2008 retroactively implemented the requirements on Jan. 1, 2008 for Part B rehab, and on July 1 for SNFs and inpatient hospitals, says Franko. The requirements apply to all sites of service, she adds.

The impetus for the change: A lot of therapist assistants lacked formal educational preparation to be a therapist assistant but had taken the board exam and were licensed to practice, Franko relays. The requirements don't affect speech language pathology assistants because Medicare has never recognized them as providers, Franko adds.

As for capturing Part A therapy minutes provided by aides, SNFs may still do so as before, according to Franko. The RAI User's Manual states: "The services of aides performing therapy treatments may only be coded when the services are performed under line of sight supervision by a licensed therapist when allowed by state law. This type of coordination between the licensed therapist and therapy aide under the direct, personal (e.g., line of sight) supervision of the therapist is considered individual therapy for counting minutes."

The same criteria apply to therapy or therapist assistant students providing therapy services, Franko notes.

Direct line of sight means the licensed therapist can see the aide or student at all times, says Franko.

"Technically, if the aide or student was walking the patient and left the therapy department so no licensed therapist was directly observing what the student was doing, you could not use those minutes," she counsels.

Remember: Part B doesn't cover therapy aide services, Franko adds.