

Use of Students under the MDS 3.0

In the new RAI Manual, CMS has laid down the rules for use of students. Gone are the days of cheap labor where the student was assigned their own case load. Now Medicare has clearly stated what the student does that can be included in the therapy minutes.

The GOOD News: CMS is now allowing the therapist assistant student to be supervised by their clinical instructor is the therapist assistant. So this would take the responsibility off the therapist of supervising both therapist and therapist assistant students. Think of the student being your clone with the ability to be all of you or part of you, you'll see what I mean.

Medicare Definitions:

Individual Therapy: The treatment of one resident at a time. The resident is receiving the therapist's or the assistant's *full attention*.

Concurrent Therapy: The treatment of 2 residents, who are not performing the same or similar activities, at the same time, regardless of payer source, both of whom must be in line of sight of the therapist or assistant.

Group Therapy: The treatment of 2 to 4 residents, regardless of payer source, who are performing similar activities, and are supervised by a therapist or assistant who is not supervising any other individuals.

NOW for the RULES!

First: The student must always be in the direct line of sight of the supervising therapist or assistant when providing services; this also includes the patients they are treating.

Allocation of Minutes:

Individual Minutes – One-on-one care minutes – are allocated to the patient when either

- a) The student is treating the patient and the therapist is directly supervising the care and NOT involved in supervising anyone else or treating another patient
OR
- b) The therapist is treating the patient and the student is observing the treatment

Concurrent Minutes – shared time of the therapist between 2 patients – are allocated to the patient when either

- a) The student is treating one patient and the therapist is treating another patient AND the student and patient are in the direct line of sight of the supervising therapist
OR
- b) The student is treating 2 patients while in the direct line of sight of the therapist and the therapist is not supervising or treating anyone else
OR

- c) The therapist is treating 2 patients and the student is observing the treatment and is not involved in treating anyone else

Group Minutes – 2 to 4 patients who are working on similar or the same activities – are allocated to the patient when either

- a) The therapist is treating the group and the student is observing the group but not assisting with the group
OR
- b) The student is treating the group, the student and group are in line of sight AND the therapist is NOT supervising any other one (resident or student)

So hopefully you now see what I mean as “your clone”. Allocate the time as if it would be you treating.

Remember, these regulations go into effect October 1st 2010!

Disclaimer:

Encompass Consulting & Education, LLC has produced this article as an informational reference for the readers of our E-Zine. The information contained in this article is current as of the time of publication.

Medicare regulations are constantly changing and it is the responsibility of the provider to remain abreast of the Medicare program requirements. Any regulations, policies and/or guidelines cited are subject to change at any time. Current Medicare regulations can be found on the CMS website at www.cms.hhs.gov

As always, the provider should be aware of other regulations that might supersede the Medicare payment guidelines such as the State Practice Act and the State Administrative Code. In any scenario, the practitioner must go with the most stringent requirement in order to be compliant.

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