

November 17, 2005

To: GOTA members

From: Sharon Hennigan, Reimbursement Chair, GOTA

Cc: Cheryl Boop, Practice Chair, GOTA

Re: Billing Medicare for OT services provided by an Occupational Therapy student

Cheryl Boop, Practice Chair for GOTA presented the following question from the membership to the GOTA Executive Board at the recent GOTA Board Meeting. The question was, can an occupational therapy student under the supervision of the clinical OT supervisor provide occupational therapy services to Medicare patients, as well as bill for these services?

I contacted the Centers for Medicare and Medicaid Services, Atlanta office and spoke with Neal Logue, Health Insurance Specialist, Division of Medicare Operations and he responded to the question in writing with the following response:

“In accordance with CMS’s policy, an occupational therapist is not permitted to supervise a therapy student and bill Medicare. Personnel qualified to perform the particular procedure or service as it relates to the procedure code such as a qualified occupational therapist should render the service. Therapy must be rendered by either a qualified therapist or by a therapist assistant who is supervised by a qualified therapist. The *Medicare Benefit Policy Manual* found at Publication 100-02, Chapter 15, Section 220.2 (A) stipulates that services shall be of such a level of complexity and sophistication or the condition of the patient shall be such that the services required can be safely and effectively performed only by a qualified therapist, or in the case of physical therapy and occupational therapy by or under the supervision of a qualified therapist. Services not provided under a therapy plan of care, or are provided by staff that are not qualified or appropriately supervised, are not covered or payable therapy services.

The CMS *Manual*, Publication 100-2, Chapter 15, Section 220 stipulates that qualified professional means a physical therapist, occupational therapist, speech language pathologist, physician, nurse practitioner, clinical nurse specialist, or physician’s assistant, who is licensed or certified by the State to perform therapy services. Qualified professionals may also include physical therapist assistants and occupational therapy assistants when working under the supervision of a qualified therapist, within the scope of practice allowed by State law. Assistants may not supervise others.

Section 230.2 of the *Manual* stipulates that occupational therapy services are those services provided within the scope of practice of occupational therapists and necessary for the

diagnosis and treatment of impairments, functional disabilities or changes in physical function and health status. This section also defines the qualifications of an occupational therapist and occupational therapy assistant. You may wish to view this section by visiting the CMS website found at www.cms.hhs.gov and clicking on “Manuals” for more information.”

Please access the CMS website listed above to read these sections for your use. Mr. Logue was very specific that occupational therapy students are not licensed by the state, so they do not meet the definition of “Qualified Professional” in Chapter 15, Section 220.

Please let Cheryl Boop or myself know if you have further questions pertaining to this question.

Thank you.