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## **INTRODUCTION**

Under the provisions of federal regulations, the Medical Assistance Program must provide for continuing review and evaluation of the care and services paid through Medicaid, including review of utilization of the services by providers and by individuals. These reviews are mandated by Title 42 Code of Federal Regulations, Parts 455 and 456. The Department of Medical Assistance Services (DMAS) or its designated contractor(s) conducts periodic utilization reviews on all programs. In addition, DMAS or its designated contractor(s) conducts compliance reviews on providers that are found to provide services that are not within the established Federal or State codes, DMAS guidelines, or by referrals and complaints from agencies or individuals.

Participating Medicaid providers are responsible for ensuring that Participation Agreement, contracts, state and federal regulations, Medicaid Memos and Provider Manual requirements for services rendered are met in order to receive payment from DMAS and its contractors. Under the Participation Agreement/contract with DMAS and the Medicaid Managed Care Organizations (MCOs) the provider also agrees to give access to records and facilities to Virginia Medical Assistance Program representatives or its designated contractor(s), the Attorney General of Virginia or his authorized representatives, and authorized federal personnel upon reasonable request. This chapter provides information on utilization review and control procedures conducted by DMAS. The MCOs conduct audits for services provided to Members enrolled in Managed Care. Providers shall contact the specific MCO for information about the utilization review and control procedures conducted by the MCO.

## **FINANCIAL REVIEW AND VERIFICATION**

The purpose of financial review and verification of services is to ensure that the provider bills only for those services that have been provided in accordance with DMAS policy and that are covered under the Virginia Medical Assistance programs and services. Any paid provider claim that cannot be verified at the time of review cannot be considered a valid claim for services provided, and is subject to retraction.

## **COMPLIANCE REVIEWS**

DMAS or its designated contractor(s) routinely conduct compliance reviews to ensure that the services provided to Medicaid individuals are medically necessary and appropriate and are provided by the appropriate provider. These reviews are mandated by Title 42 C.F.R., Part 455.

Providers and individuals are identified for review by system-generated exception reporting using various sampling methodologies or by referrals and complaints from agencies or individuals. Exception reports developed for providers compare an individual

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provider's billing activities with those of the provider peer group.

To ensure a thorough and fair review, trained professionals review all cases using available resources, including appropriate consultants, and perform on-site or desk reviews.

Overpayments will be calculated based upon review of all claims submitted during a specified time period.

Providers will be required to refund payments made by DMAS or the MCOs if they are found to have billed these entities contrary to law or manual requirements, failed to maintain any record or adequate documentation to support their claims, or billed for medically unnecessary services. In addition, due to the provision of poor-quality services or of any of the above problems, DMAS or the MCOs may restrict or terminate the provider's participation in the program.

## **FRAUDULENT CLAIMS**

Fraud means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself/herself or some other person. It includes any act that constitutes fraud under applicable federal or state law.

Since payment of claims is made from both state and federal funds, submission of false or fraudulent claims, statements, or documents or the concealment of a material fact may be prosecuted as a felony in either federal or state court. The program maintains records for identifying situations in which there is a question of fraud and refers appropriate cases to the Office of the Attorney General for Virginia, the United States Attorney General, or the appropriate law enforcement agency.

### Provider Fraud

The provider is responsible for reading, understanding, and adhering to applicable state and federal regulations, Medicaid Memos, their provider agreement with DMAS or its contractor, and to the requirements set forth in this manual. The provider is also responsible for ensuring that all employees are likewise informed of these regulations and requirements. The provider certifies by his/her signature or the signature of his/her authorized agent on each invoice that all information provided to DMAS and its contractors is true, accurate, and complete. If provider attests to having all required licensed as required they must be able to furnish such documentation. Although claims may be prepared and submitted by an employee or contracted business partner, providers will still be held responsible for ensuring their completeness and accuracy.

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Repeated billing irregularities or possible unethical billing practices by a provider should be reported to the following address, in writing, and with appropriate supportive evidence:

Department of Medical Assistance Services Division of  
Program Integrity  
Supervisor, Provider Review Unit 600  
East Broad Street Richmond, Virginia  
23219

Investigations of allegations of provider fraud are the responsibility of the Medicaid Fraud Control Unit in the Office of the Attorney General for Virginia. Provider records are available to personnel from that unit for investigative purposes. Referrals are to be made to:

Office of the Attorney General Director,  
Medicaid Fraud Control Unit 202 North  
Ninth Street  
Richmond, Virginia 23219 Member

### Fraud

Allegations about fraud or abuse by Medicaid enrolled individuals are investigated by the Recipient Audit Unit of the DMAS. The unit focuses primarily on determining whether individuals misrepresented material facts on the application for Medicaid benefits or failed to report changes that, if known, would have resulted in ineligibility. The unit also investigates incidences of card sharing and prescription forgeries and other acts of drug diversion.

If it is determined that benefits to which the individual was not entitled were received, corrective action is taken by referring individuals for criminal prosecution, civil litigation, or establishing administrative overpayments and seeking recovery of misspent funds. Under provisions of the *Virginia State Plan for Medical Assistance*, DMAS must sanction an individual who is convicted of Medicaid fraud by a court. That individual will be ineligible for Medicaid for a period of twelve months beginning with the month of fraud conviction. The sanction period may only be revoked or shortened by court order.

Suspected cases of Medicaid fraud and abuse should be reported to the local Department of Social Services (LDSS) or to the DMAS Recipient Audit Unit via the RAU Fraud Hotline: local at (804) 786-1066 and toll free at (866) 486-1971. Written referrals can also be made at the RAU email address: recipientfraud@dmass.virginia.gov or forwarded to:

Department of Medical Assistance Services Division of  
Program Integrity Recipient Audit Unit  
600 East Broad Street  
Richmond, Virginia 23219

## **PATIENT UTILIZATION AND MANAGEMENT SAFETY PROGRAMS (PUMS)**

The DMAS contracted MCOs must have a Patient Utilization Management & Safety Program (PUMS) for MCO enrolled members which is intended to coordinate care and ensure that members are accessing and utilizing services in an appropriate manner in accordance with all applicable rule and regulations. The PUMS Program is a utilization control and care coordination program designed to promote proper medical management of essential health care. Upon the member's placement in the PUMS, the MCO must refer members to appropriate services based upon the member's unique situation.

Once a Member meets the placement requirements for PUMS, the MCO may limit a member to a single pharmacy, primary care provider, controlled substances prescriber, hospital (for non-emergency hospital services only) and/or, on a case-by-case basis, other qualified provider types as determined by the MCO and the circumstances of the member. The MCO may limit a member to providers and pharmacies that are credentialed in their network.

If the member changes MCOs while the member is enrolled in a PUMS, the receiving MCO must re-evaluate the member within thirty (30) calendar days to ensure the member meets the minimum criteria above for continued placement in the health plan's PUMS.

## **UTILIZATION REVIEW – GENERAL REQUIREMENTS**

Utilization reviews of enrolled providers are conducted by DMAS, the designated contractor or the MCOs. These reviews may be on-site and unannounced or in the form of desk reviews. During each review, a sample of the provider's Medicaid billing will be selected for review. An expanded review shall be conducted if an excessive number of exceptions or problems are identified.

Utilization reviews are comprised of desk audits, on-site record review, and may include observation of service delivery and review of all provider policies and procedures and human resource files. Dependent upon the setting, the utilization review may also include a tour of the program. Staff will visit on-site or contact the provider to request records. Utilization Review may also include face-to-face or telephone interviews with the individual, family, or significant other(s), or all. In order to conduct an on-site review, providers may also be asked to bring program and billing records to a central location within their organization. The facility shall make all requested records available and shall provide an appropriate place for the auditors to conduct the review if conducted on-site.

DMAS and the MCOs shall recover expenditures made for covered services when providers' documentation does not conform to standards specified in all applicable regulations. Providers who are determined not to be in compliance with DMAS

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requirements shall be subject to 12VAC30-80-130 for the repayment of those overpayments to DMAS.

Providers shall be required to maintain documentation detailing all relevant information about the Medicaid individuals who are in the provider's care. Such documentation shall fully disclose the extent of services provided in order to support provider's claims for reimbursement for services rendered. This documentation shall be written and dated at the time the services are rendered or within one business day from the time the services were rendered. Claims that are not adequately supported by appropriate up-to-date documentation may be subject to recovery of expenditures.

The review will include, but is not limited to, the examination of the following areas / items:

- If a provider lacks a full or conditional license or a provider enrollment agreement does not list each of the services provided and the locations where the provider is offering services, then during a utilization review the provider will be subject to retraction for all unlisted service and/or locations.
- Health care entities with provisional licenses shall not be reimbursed by Medicaid.
- An assessment of whether the provider is following The U.S. Department of Health and Human Services' Office of Inspector General (HHS-OIG) procedures w/ regard to excluded individuals (See the Medicaid Memo dated 4/7/2009).
- An assessment of whether the provider is following DRA 2005 procedures, if appropriate (See CMS Memo SMDL 06-025.).
- The appropriateness of the admission to service and for the level of care, and medical or clinical necessity of the delivered service.
- A copy of the provider's license/certification, staff licenses, and qualifications to ensure that the services were provided by appropriately qualified individuals and licensed facilities.
- Verification that the delivered services as documented are consistent with the documentation in the individual's record, invoices submitted, and specified service limitations.
- The reviewer determines that all documentation is specific to the individual and their unique treatment needs. Checklists and boilerplate or repeated language are not appropriate. Electronic records and commercial recordkeeping products offer canned language. The provider must still individualize their records to reflect the services they actually provided. Most commercial recordkeeping products are designed for outpatient services and may not be adequate recordkeeping mechanisms for these services.
- The reviewer determines whether all required aspects of treatment (as set

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forth in the service definitions) are being provided, and also determines whether there is any inappropriate overlap or duplication of services.

- The reviewer determines whether all required activities (as set forth in the appropriate sections of this manual and related regulations) have been performed.
- The reviewer determines whether inappropriate items have been billed.
- The reviewer determines whether the amount billed matches the documented amount of time provided to the individual.

Services must meet the requirements set forth in the Virginia Administrative Code (12 VAC 30) and in the Virginia State Plan for Medical Assistance Services and as set forth in this manual. If the required components are not present, reimbursement will be retracted.

Upon completion of on-site activities for a routine utilization review, the MCO, DMAS, or its designated contractor(s) may be available to meet with provider staff for an Exit Conference. The purpose of the Exit Conference is to provide a general overview of the utilization review procedures and expected timetables.

Following the review, a written report of preliminary findings is sent to the provider. Any discrepancies will be noted. The provider will have 30 days from receipt of the preliminary report to respond to the discrepancies outlined in the report. The provider must detail the discrepancy in question and may include any additional supporting medical record documentation that was written at the time the services were rendered. The provider must submit their written request within thirty (30) days from the receipt of the preliminary findings letter. The provider's response and any additional information provided will be reviewed. At the conclusion of the review, DMAS or its designated contractor(s) will contact the provider to conduct an Exit Conference to review the procedures that have taken place and further steps in the review process. A final report will then be mailed to the provider.

If a billing adjustment is needed, it will be specified in the final audit findings report.

If the provider disagrees with the final audit findings report, they may appeal the findings. Refer to Chapter II for information on the provider appeal process.

## **MEDICAL RECORDS AND RETENTION**

The provider must recognize the confidentiality of recipient medical record information and provide safeguards against loss, destruction, or unauthorized use. Written procedures must govern medical record use and removal and the conditions for the release of information. The recipient's written consent is required for the release of information not authorized by law. Current recipient medical records and those of discharged recipients must be completed promptly. All clinical information pertaining to

a recipient must be centralized in the recipient's clinical/medical record.

Records of Medicaid covered services must be retained for not less than five years after the date of service or discharge. Records must be indexed at least according to the name of the recipient to facilitate the acquisition of statistical medical information and the retrieval of records for research or administrative action. The provider must maintain adequate facilities and equipment, conveniently located, to provide efficient processing of the clinical records (reviewing, indexing, filing, and prompt retrieval). Refer to 42 CFR 482.24 for additional requirements.

The provider must maintain medical records on all recipients in accordance with accepted professional standards and practice. The records must be completely and accurately documented, readily accessible, legible, and systematically organized to facilitate the retrieval and compilation of information. All medical record entries must be fully signed, and dated (month, day, and year) including the title (professional designation) of the author. Documentation should be clear and legible.

#### **DOCUMENTATION REQUIREMENTS: INTENSIVE REHABILITATION AND CORF SERVICES**

DMAS, or its contractors, conduct utilization review of intensive rehabilitative services . The intensive rehabilitation provider must have an annual utilization review plan approved by the Office of Health Facilities Regulation, Virginia Department of Health, or the appropriate licensing agency in the state in which the institution is licensed. DMAS staff or its contractors will review the functions associated with approved hospital utilization review plans for compliance with 42 CFR §§ 456.101 through 456.145. (Reference these regulations for additional federal requirements for UR plans, admission reviews, and medical care evaluation studies).

The Comprehensive Outpatient Rehabilitation Facilities (CORF) must have in effect a written utilization review plan that meets the requirements of 42 CFR § 485.66 .

#### **Physician Certifications, Recertifications and Renewal of the Plan of Care Orders**

- A physician is required to complete the admission certification (DMAS-127) of intensive rehabilitation services and the initial plan of care orders.
- A 60-day recertification (DMAS-128) must be performed by a physician, or a licensed practitioner of the healing arts, such as a nurse practitioner or a physician assistant, within the scope of his/her practice under State law.

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- If therapy services are recertified by a practitioner of the healing arts other than a physician, supervisory requirements must be performed by a physician as required by the Virginia Department of Health Professions regulations.
  - CORF providers must meet the requirements of 42 CFR 485.58 .
  - Providers must refer to Chapter IV of this manual for additional clarification on program and documentation requirements.

### **Physician Documentation Requirements (or other licensed practitioners)**

#### Physician Admission Rehabilitation Evaluation:

The physician admission rehabilitation evaluation must include, but is not limited to, the following:

- The prognosis, clinical signs and symptoms necessitating admission;
- A description of prior treatment and, if applicable, attempts to rehabilitate the individual in a less intensive setting;
- History and Physical Exam;
- The written initial certification statement (DMAS-127) of the need for intensive rehabilitation; and
- The identification of a discharge plan/disposition.

#### Physician Plan of Care/Treatment Plan:

The physician plan of care/treatment plan must be written specific to the individual and must include orders for medications, rehabilitative therapies (including the frequency and duration of services), treatments, diet, and other services as needed such as psychology, social work, therapeutic recreation, etc. The plan must be reviewed and updated at least every 60 days on the DMAS-126.

#### Physician Admission and Discharge Orders:

The physician is responsible for admission and discharge orders (if verbal orders are given, written orders must be signed and dated within three calendar days). A physician order is required to discontinue any therapy treatment prior to an individual's discharge.

#### Physician Progress Notes:

The physician progress notes must be written at least monthly (every 30 days) and must include, but is not limited to:

- Changes in the individual's condition;
- Individual response to treatment;
- Renewal of recertification statement of the continuing need for intensive rehabilitation written at least every 60 days on the DMAS-128; and
- Discharge disposition statement.

### **Required DMAS Forms for Physician Use – DMAS 126, 127 and 128**

DMAS has three (3) forms that are required for physician use (implemented on May 1, 2002), for each Medicaid admission or if an individual is anticipated to be Medicaid eligible, these forms must be fully completed, signed and dated by the physician. The Code of Federal Regulations (CFR) require physician certification and recertification for intensive/inpatient or CORF rehabilitation per 42 CFR 456.60.

The three required DMAS forms are:

- DMAS Intensive Rehabilitation Physician Plan of Care Review (DMAS-126),
- DMAS Intensive Rehabilitation Admission Certification (DMAS-127), and
- DMAS Intensive Rehabilitation 60-Day Recertification (DMAS-128).

NOTE: Refer to the DMAS Medicaid Web Portal, Provider Forms Search link located at: | <https://vamedicaid.dmas.virginia.gov/provider/forms#gsc.tab=0> for access to these three required forms.

**DMAS-126:** For those intensive/inpatient or CORF rehabilitation stays that continue for 60 days or more, the physician must complete the DMAS-126 form. Review of the 60-day plan of care (DMAS-126) renewal is defined as reviewing all physician orders pertaining to medications, rehabilitative therapies, treatments, diet, and other services as needed such as psychology, social work, therapeutic recreation, etc. The plan of care review of the physician orders provides the physician with an opportunity to review the individual's status over the past two months, rather than a day-to-day review. The physician must determine in writing on the DMAS-126 form, what services need to be continued, added, changed, or deleted, based on the individual's needs. The required form (DMAS-126) must be fully completed, signed and dated by the physician, and placed in the physician order section of the medical record.

**DMAS-127:** For all new intensive/inpatient or CORF admissions of a Medicaid individual or for those anticipated to be Medicaid eligible, the physician must complete the DMAS-127 form for admission certification, which is a federal regulatory requirement. The physician is acknowledging that the individual does meet the intensive inpatient rehabilitation criteria for admission and the physician is certifying that the individual meets the certification requirements. The required form (DMAS-127) for this purpose must be fully completed, signed and dated by the physician, and placed in the physician order section of the medical record.

**DMAS-128:** For those intensive/inpatient or CORF rehabilitation stays that continue for 60 days or more, the physician must complete the DMAS-128 form for the 60-day recertification, which is a federal regulatory requirement. The physician is acknowledging that the individual continues to meet the intensive inpatient or CORF rehabilitation criteria for continued stay and the physician is certifying that the individual meets the recertification requirements. The required form (DMAS-128) for this purpose must be fully completed, signed and dated by the physician, and placed in the physician order section of the medical record.

NOTE: For an individual who has applied for and is pending Virginia Medicaid eligibility and it is even remotely anticipated that the person may become Medicaid eligible (either during or after an inpatient rehabilitation stay), it is *strongly recommended* that the DMAS-127 admission certification form be completed upon admission, so the provider avoids the possible risk of not receiving Medicaid reimbursement, if needed. If the person remains 60 days or more, it is *strongly recommended* that the DMAS-126 and DMAS-128 forms be completed. If Medicaid is approved retroactively, and the provider billed Medicaid for any portion of the stay, if any of these forms were not completed upon admission or at the 60 day interval, this will be an audit and possible retraction issue for the entire stay if these required forms were not completed.

## Rehabilitation Nursing

A registered nurse (RN), or a licensed practical nurse (LPN) under the supervision of a registered nurse (RN), is responsible for and must complete, sign, title and fully date, all of the following:

- An admission evaluation and a written plan of care/treatment plan with measurable individual goals completed within 24 hours of admission;
- A review of the individual plan of care/treatment plan, as needed, but at least every two weeks; and
- A weekly nursing summary, which reflects the care provided, individual/family education, changes in the individual's condition, the individual's response to treatment; and revision of the individual goals as needed; and
- Medications and treatments administered and charted as ordered by the physician.
- A review of medications, at least monthly, to include identification of medications that may be discontinued or altered, and validation of the proper administration of ordered medications.

The individual's condition must require, in addition to any acute rehabilitation nursing services, the nursing knowledge and skills necessary to identify nursing needs and treat individuals whose conditions are characterized by altered cognitive and functional ability. The need for these rehabilitative nursing services is determined by deficits documented in the rehabilitative nursing admission assessment. This assessment and a physician-approved plan of care/treatment plan are developed by a registered nurse (or LPN under the supervision of the RN) experienced in rehabilitation.

The registered nurse (or LPN under the supervision of the RN) develops the plan of care/treatment plan by documenting individualized, measurable, goals with time frames for goal achievement and the nursing interventions necessary to assist the individual in achieving the goals. The nursing plan of care/treatment plan must reflect the expectation of significant improvement in the identified deficits. When using computerized and/or standardized plans of care, documentation must incorporate all of the above described plan of care components and be specific to the individual's needs.

A program participant/individual's response to nursing interventions and any resultant changes in the individual's goals must be documented in the weekly nursing summary by nurses responsible for the individual's care. The registered nurse must review the individual's response to the nursing plan of care/treatment plan at least every two weeks and document any necessary modifications to the plan of care/treatment plan.

Upon the individual's discharge from services, the RN (or LPN under the supervision of the RN) must complete a comprehensive discharge summary, to include the following components: functional outcome of the long-term goals, recommendations for follow-up

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care, and discharge disposition. The discharge summary must be completed within 30 days of the individual's discharge. The provider's discharge instruction form for the individual does not meet the DMAS documentation requirements for a discharge summary.

### **Rehabilitative Therapies (PT, OT, SLP, Cognitive, Therapeutic Recreation)**

All rehabilitation services must be ordered by a physician or other licensed practitioner prior to the provision of services.

Admission Evaluation: Each therapist's admission evaluation must be completed by a registered or licensed therapist within seven (7) calendar days of admission and must include, but is not limited to:

- Medical Diagnosis of the individual;
- Clinical signs and symptoms;
- Medical history;
- Summary/History of any previous rehabilitation services;
- Prior/current functional status; and
- Therapist's recommendation for treatment.

Plan of Care/Treatment Plan: A plan of care/treatment plan within seven (7) calendar days of admission, specifically designed for the individual must be established and must include, but is not limited to:

- Individual measurable long-term and short-term goals;
- Time frames of achievement for all goals;
- Interventions (modalities/treatments/procedures);
- Frequency and duration of the therapies; and
- Discharge disposition/plan.

Progress Notes: Progress notes must be written at least every two weeks and must include, but are not limited to:

- Individual's response to treatment; and
- Review of the plan of care/treatment plan/goals.

Discharge from Services: Upon the individual's discharge from services, the licensed therapist must complete a comprehensive discharge summary, to include all of the following components:

- Functional outcome of the long-term goals,
- Recommendations for follow-up care,
- Discharge disposition,
- Completed within 30 days of the individual's discharge, and
- Signed, titled and fully dated by the licensed therapist.

### **Therapist Supervision of a Therapy Assistant (Applicable to PT, OT, and SLP)**

Direct supervision by a qualified therapist includes initial direction and periodic observation of the individual's actual performance of the therapeutic activity. The plan of

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care/treatment plan must be developed and signed by the licensed therapist (not the therapy assistant). When services are provided by a licensed or certified therapy assistant (i.e.: PTA, COTA, CFY/SLP or Speech-Language Assistant), the licensed therapist (i.e.: PT, OT, or SLP) must conduct an on-site supervisory visit at least every 30 days while therapy is being conducted, observe, and document accordingly.

If the supervisory therapist co-signs the assistant's progress visit notes, this action alone does not constitute a 30-day supervisory visit note. The supervisory therapist shall review the progress notes of the therapy assistant. The supervisory therapist documentation of the 30-day note shall include a review of the plan of care with the assistant and comments on any adjustments or revisions to the individual's therapy goals, as needed. If no adjustments or revisions are needed, the therapist should document accordingly. The supervisory 30-day review note must be signed, titled and fully dated by the therapist. Lack of documentation of the 30-day supervisory visit notes will result in a DMAS audit retraction of provider reimbursement.

### **Psychologist and Social Worker**

All psychology and social work services must be ordered by a physician prior to the provision of services.

Admission Evaluation: An admission evaluation for psychology services must be written by a licensed psychologist or a licensed clinical social worker. For social work services an admission evaluation must be written by a qualified social worker within seven (7) calendar days of admission and must include:

- Psycho-Social History;
- Diagnosis; and
- Identified needs/problems.

Plan of Care/Treatment Plan: A plan of care/treatment plan within seven (7) calendar days of admission specifically designed for the individual must be established, reviewed/revised every two weeks and must include:

- Individual measurable long-term and short-term goals;
- Time frames for all goals;
- Interventions/approaches used;
- Frequency and duration of services offered; and
- Discharge disposition/plan\*.

\*Discharge planning is an integral part of the individual's plan of care/treatment plan developed by the team and coordinated by the social worker. The discharge plan must be addressed during the admission evaluation and must be reviewed/revised relative to the individual's and family's response to the rehabilitation program.

Progress Notes: Progress notes must be written at least every two weeks and must include, but are not limited to:

- Individual's response to treatment; and
- Review of the plan of care/treatment plan.

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Discharge Summary: Upon the individual's discharge from services, the psychologist and social worker must complete a comprehensive discharge summary that includes the all of the following components:

- Functional outcome of the long-term goals,
- Recommendations for follow-up care,
- Discharge disposition,
- Discharge summary must be completed within 30 days of the individual's discharge, and
- Must be signed, titled and dated by the licensed staff.

### **Interdisciplinary Team**

The interdisciplinary (ID) team must prepare written documentation of the ID plan of care/treatment plan within seven (7) calendar days of admission.

Documentation must include, but is not limited to:

- Needs of the individual;
- Individualized, measurable long and short-term goals;
- Approaches/interventions to be used to meet the goals;
- The discipline(s) responsible for the interdisciplinary goals;
- Evidence of goal revision and progress;
- Time frames for all goals; and
- Team plan reviewed/revise at least every two (2) weeks

Included in the interdisciplinary plan of care/treatment plan must be a discharge plan. This plan must facilitate an appropriate discharge and must include, but is not limited to:

- Individual's discharge destination;
- Any modifications and alterations necessary at the individual's home for discharge; and
- Alternative discharge plans if the initial plan is not feasible.

The effectiveness of an intensive rehabilitation program depends on the continuing coordination of all the professional disciplines involved in the individual's rehabilitation. Team conferences held at least every two weeks are required in order to review the plan of care/treatment plan, assess and document the individual's progress as well as any problems impeding progress. The team will consider possible resolutions to the identified problems, reassess the continuing validity of the rehabilitation goals established at the time of the initial evaluation, reassess the need for any adjustment in these goals or in the prescribed treatment program, and re-evaluate discharge plans.

Team documentation must demonstrate a coordinated team approach. A review by the various team individuals of each other's progress notes does not constitute a team conference. A team conference must be held at least every two weeks to include a review of the plan of care and a summary of the team conference, noting the team members/disciplines (by full name and title) attendance and participation, as documented in the clinical record. Documentation must include approaches and progress made toward meeting established interdisciplinary goals, revisions/changes to goals, and revisions to the discharge plan.

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### **General Documentation Requirements for Intensive Rehabilitation and CORF**

For each individual, there must be a written plan of care/treatment plan established and reviewed and signed by a physician every 60 days. Services not specifically documented in the individual's record as having been rendered will be deemed not to have been rendered, and any inappropriate payment may be recovered by DMAS or its contractors. Each entry in the medical record must be signed, titled and dated (month/day/year) by the provider of treatment.

The medical record must include all of the following, but is not limited to:

- Diagnosis, current medical findings, including functional status, and the clinical signs and symptoms of the individual's condition, including the diagnosis justifying admission, and documentation of the extent to which the individual is aware of the diagnosis and prognosis;
- An accurate and complete chronological picture of the individual's clinical course and treatments, including any prior rehabilitation treatment. If appropriate, the summary of treatment furnished and the results achieved during previous periods of rehabilitation services or institutionalization must be provided;
- Plans of care/treatment plans by the interdisciplinary team and each involved discipline, specifically designed for the individual to include realistic, measurable, individualized goals with time frames for goal achievement;
- Physician orders and plan of care/treatment plan prior to the provision of services;
- Documentation of all treatment rendered to the individual with specific attention to the frequency, duration, interventions, response, and progress toward established goals. All entries must be fully signed and fully dated by the provider of the treatment (include the full name and title);
- Documentation of supervision of therapy assistants completed by a licensed therapist every 30 days as described in this chapter;
- Documentation of changes in the individual's condition and changes in the plans of care/treatment plans (team and/or individual discipline);
- Documentation of team conferences, including the names of all attending;
- Discharge plans (see below); and
- Discharge summaries describing functional outcome, follow-up plans, and discharge disposition. The discharge summaries must be completed within 30 days of the individual's discharge.
- NOTE: If a therapy or service is discontinued prior to the individual's discharge from the intensive or CORF rehabilitation program, the therapist or other discipline must obtain a physician discharge order.

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## **Discharge Planning for Intensive Rehabilitation and CORF**

Discharge planning must be an integral part of the overall plan of care/treatment plan developed at the time of admission to the program.

- The plan shall identify the anticipated improvements in functional abilities and the probable discharge destination.
- The individual or the responsible party shall participate in the discharge planning.
- The discharge plan must demonstrate that adequate arrangements/services are made to meet the individual's needs in the new environment.
- Documentation concerning changes in the discharge plan as determined by the response to treatment, shall be entered into the record at least every two weeks as a part of the team conference, but more often if the individual's situation warrants.

## **DOCUMENTATION REQUIREMENTS: OUTPATIENT REHABILITATION SERVICES**

### **Physical Therapy, Occupational Therapy, and Speech-Language Pathology Services**

The individual's medical record must contain sufficient documentation to clearly identify the individual and justify the need for services. Each discipline, physical therapy, occupational therapy, and speech-language pathology services must adhere to the documentation requirements.

### **Early Intervention Services and School Therapy Services**

Providers who offer PART C - Early Intervention Services (EIS) treatment for children under the age of 3, should refer to covered services and documentation requirements in the Early Intervention Services Manual on the DMAS Medicaid Web Portal For outpatient rehabilitation providers who provide rehabilitation therapy to Medicaid special education children within the school setting, providers should also refer to the DMAS Medicaid Web Portal for the LEA (Local Education Agency) Manual for information.

The required outpatient rehabilitation documentation in the individual's medical record must include **all** of the following, but is not limited to:

#### **Physician Documentation (or other licensed practitioner)**

A physician's order is required prior to the initiation of the evaluation/assessment.

Physician orders must include all of the following, but is not limited to:

- A physician order/script prior to the initiation of the evaluation/assessment that

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identifies the specific therapy(s);

- A physician order/plan of care for treatment that identifies the therapy, measurable, individualized goals with time frames for goal achievement, modalities interventions, frequency, and duration;
- A physician order for discharge from services is required; and
- Each physician's entry into the record must be legibly signed, titled, and fully dated by the physician making the entry.

The physician is responsible for admission and discharge orders (if verbal orders are given, written orders must be signed and dated within three calendar days).

### **Therapist Documentation**

Therapist assessment/evaluation must include all of the following, but is not limited to:

- Medical diagnosis;
- Clinical signs and symptoms;
- Medical history;
- Current functional status (strengths and deficits);
- Justification of therapeutic interventions;
- Summary of previous rehabilitative treatment and results;
- Extent to which the individual/responsible party is aware of the diagnosis and prognosis; and
- Therapist recommendation for treatment, signature/title/date.

When physician ordered, an evaluation or re-evaluation must be completed by a therapist when an individual is admitted to a service, when there is significant change in an individual's condition, or when an individual is readmitted to a service. There is no required time frame for completion of the therapy assessment once a physician order is received; however, it is recommended that the therapist conduct an evaluation/assessment in a timely manner to benefit the individual being assessed and to carry out the physician order.

### **Plan of Care/Treatment Plan**

The plan of care/treatment plan must be specifically designed for the individual by the physician after consultation with the therapist(s). The initial plan of care/treatment plan may be prepared and signed by the therapist and then sent to the physician for signature. The plan of care/treatment plan must be reviewed/renewed by the therapist and the physician with modifications determined by the individual's response to therapy every 60 days or annually depending on the individual sub-group classification (for more information, refer to Chapter IV of this manual).

Any initial plan of care/treatment plan or periodic renewal written by the qualified therapist must be signed and dated by the physician within 21 days of implementation of the plan. If a physician signature is not obtained within 21 days of the implementation of the plan of care, reimbursement will not be made for that plan of care until the date of the physician signature. Reimbursement will not be made if, at the time of the physician signature, the

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plan of care valid time frame has expired. Services provided without a physician's dated signature or incomplete physician's order will not be reimbursed.

The plan of care/treatment plan must include all of the following, but is not limited to:

- Medical diagnosis;
- Current functional status (strengths and deficits);
- Individualized, measurable goals (long-term and short-term) which describe the anticipated level of functional improvement;
- Achievement time frames for all goals;
- Therapeutic interventions/treatments to be utilized by the therapist;
- Frequency and duration of the therapies; and
- Identification of a discharge plan and anticipated discharge date.

### **Discharge Planning**

The discharge plan is developed upon admission as an integral part of the initial plan of care/treatment plan and must include all of the following, but is not limited to:

- The individual's anticipated functional status at discharge;
- The individual's anticipated discharge disposition and date;
- The individual's or responsible party's participation in discharge planning; and
- The changes in the plan as determined by the individual's response to therapy.

### **Verification of Services/Progress Notes**

Progress notes must be accurate and provide a complete chronological picture of the individual's treatments and clinical course. Each therapy visit must be documented in the medical record. Failure to properly document the extent of services rendered in detail can result in an audit retraction of reimbursement.

Documentation must include all of the following, but is not limited to:

- Dated documentation for each individual treatment session (visit);
- Modality/treatment/activity utilized;
- Individual response to therapy relative to established goals;
- Changes in functional status;
- Changes in individual condition;
- Recommendations for continued treatment relative to established goals;
- Recommendations for continued treatment relative to modifications to the plan of care/treatment plan; and
- Identification of the therapist providing the treatment, including the full name and title, and signature date.

Progress note documentation by therapy assistants must meet the supervisory requirements as outlined in Chapter IV of this manual. Supervisory documentation must be evident every 30 days in the progress note section of the medical record.

### **Discharge Summary**

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The discharge summary must be completed within 30 days of discharge and must include all of the following, but is not limited to:

- The reason for discharge;
- The individual's functional status at discharge compared to admission status;
- The individual's status relative to established long-term goals met or not met;
- The recommendations for any follow-up care;
- The individual's discharge destination; and
- The qualified therapist, who developed the plan of care/treatment plan, must fully sign, title, and date the discharge summary.

NOTE: A physician discharge order is required to discontinue therapy services. The therapist discharge summary may be used to fulfill the physician discharge order requirements as long as the physician signs the summary within 30 days of discontinuation of services.

### **Therapist Supervision of a Therapy Assistant (Applicable to PT, OT, and SLP)**

Direct on-site supervision by a qualified therapist includes initial direction and periodic observation of the individual's actual performance of the therapeutic activity. The plan of care/treatment plan must be developed and signed by the licensed therapist (not the therapy assistant). When services are provided by a licensed or certified therapy assistant (i.e.: PTA, COTA, CFY/SLP or Speech-Language Assistant), the licensed therapist (i.e.: PT, OT, or SLP) must conduct an on-site supervisory visit at least every 30 days while therapy is being conducted, observe, and document accordingly.

If the supervisory therapist co-signs the assistant's progress visit notes, this action alone does not constitute a 30-day supervisory visit note. The supervisory therapist shall review the progress notes of the therapy assistant. The supervisory therapist documentation of the 30-day note shall include a review of the plan of care with the assistant and comments on any adjustments or revisions to the individual's therapy goals, as needed. If no adjustments or revisions are needed, the therapist should document accordingly. The supervisory 30-day review note must be signed, titled and fully dated by the therapist. Lack of documentation of the 30-day supervisory visit notes will result in a DMAS audit retraction of provider reimbursement.

### **General Documentation Requirements for Outpatient Rehabilitation**

DMAS criteria for reimbursement of general outpatient rehabilitation are found throughout the provider manual and include all of the following, but are not limited to:

- A physician initial order, signed and dated by the physician prior to the provision of therapies;
- Evidence of the therapist admission assessment/evaluation;
- Provider "program-mandated" evaluations or re-evaluations will not be reimbursed;
- A plan of care/treatment plan prior to the provision of therapies;
- The plan of care/treatment plan signed and dated by the physician within 21 days of the implementation of the plan of care/treatment plan;
- Review and renewal of the physician order and plan of care/treatment plan

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- every 60 days for acute conditions requiring services for less than 12 months;
  - Review and renewal of the physician order and plan of care/treatment plan annually for non-acute, long-term conditions requiring services for greater than 12 months; the therapist plan of care/treatment plan with goals reviewed based on acute or non-acute conditions;
  - Documentation of significant progress toward the individual goals within a reasonable period of time;
  - Discipline progress notes for each therapy visit;
  - Documentation of the appropriate and timely discharge planning; and
  - Documentation of the discharge summary, upon the individual's discharge