

**§ 485.713 Conditions of participation: Physical therapy services.**

If the organization offers physical therapy services, it provides an adequate program of physical therapy and has an adequate number of qualified personnel and the equipment necessary to carry out its program and to fulfill its objectives.

(a) *Standard: Adequate program.*

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(2) A qualified physical therapist is present or readily available to offer supervision when a physical therapist assistant furnishes services.

(i) If a qualified physical therapist is not on the premises during all hours of operation, patients are scheduled so as to ensure that the therapist is present when special skills are needed, for example, for evaluation and reevaluation.

(ii) When a physical therapist assistant furnishes services off the organization's premises, those services are supervised by a qualified physical therapist who makes an onsite supervisory visit at least once every 30 days.

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**§ 485.715 [Amended]**

13. In newly designated § 485.715, the following changes are made:

- a. In paragraph (a), "will be" is revised to read "is".
- b. In paragraph (b), "accepted" is revised to read "it accepts".
- c. In paragraph (c), "rendered" is revised to read "furnished".

**§ 485.717 [Amended]**

14. In newly designated § 485.717, the following changes are made:

- a. The undesignated introductory text is revised to read as set forth below.
- b. In paragraph (a), "rendered, as applicable" is revised to read "furnished as appropriate".
- c. Paragraph (b) is revised to read as set forth below.

**§ 485.717 Condition of participation: Rehabilitation program.**

This condition and its standards apply only to a rehabilitation agency's own patients, not to patients of hospitals, skilled nursing facilities (SNFs), or Medicaid nursing facilities (NFs) to whom the agency furnishes services. (The hospital, SNF, or NF is responsible for ensuring that qualified staff furnish services for which they arrange or contract for their patients.) The rehabilitation agency provides, in addition to physical therapy and speech-language pathology services, social or vocational adjustment services to all of its patients who need them. The

agency provides for special qualified staff to evaluate the social and vocational factors, to counsel and advise on the social or vocational problems that arise from the patient's illness or injury, and to make appropriate referrals for needed services.

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(b) *Standard: Arrangements for social or rehabilitation services*—(1) If a rehabilitation agency does not provide social or vocational adjustment services through salaried employees, it may provide those services through a written contract with others who meet the requirements and responsibilities set forth in this subpart for salaried personnel.

(2) The contract must specify the term of the contract and the manner of termination or renewal and provide that the agency retains responsibility for the control and supervision of the services.

**§ 485.719 [Amended]**

15. In newly designated § 485.719, the following changes are made:

- a. In paragraph (a), "when" is revised to "if"; "and/or" is revised to read "or"; "such" is revised to "the"(twice); "provides for retention by the organization" is revised to read "provides that the organization retains"; and "responsibility form and control and supervision of" is corrected to read "responsibility for, and control and supervision of,".
- b. Paragraph (b) is revised to read as set forth below:

**§ 485.719 Condition of participation: Arrangements for physical therapy and speech-language pathology services to be performed by other than salaried organization personnel.**

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(b) *Standard: Contract provisions.* The contract—

- (1) Specifies the term of the contract and the manner of termination or renewal;
- (2) Requires that personnel who furnish the services meet the requirements that are set forth in this subpart for salaried personnel; and
- (3) Provides that the contracting outside resource may not bill the patient or Medicare for the services. This limitation is based on section 1861(w)(1) of the Act, which provides that—

- (i) Only the provider may bill the beneficiary for covered services furnished under arrangements; and
- (ii) Receipt of Medicare payment by the provider, on behalf of an entitled individual, discharges the liability of the individual or any other person to pay for those services.

**§ 485.721 [Amended]**

16. In newly designated § 485.721, the following changes are made:

- a. In paragraph (b), the commas at the end of paragraphs (b)(1) through (b)(6) are changed to periods; in paragraph (b)(1), "provided" is revised to "furnished"; and the "and" at the end of paragraph (b)(6) is removed.
- b. In paragraph (c), the last sentence is revised to read as set forth below.
- c. In paragraph (d), the commas at the end of the paragraphs (d)(1) and (d)(2)(1) are changed to semicolons, and in the introductory text, "a period of time of not less than" is revised to read "at least".
- d. In paragraph (d)(1), "That" is revised to "The period".
- e. In paragraph (d)(2), introductory text, the colon is changed to a dash.

**§ 485.721 Condition of Participation: Clinical records.**

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(c) *Standard: Completion of records and centralization of reports.* \* \* \*

Each physician signs the entries that he or she makes in the clinical record.

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**§ 485.723 [Amended]**

17. In newly designated § 485.723, the following changes are made:

- a. In paragraph (a)(2), "organization" is revised to "premises" (twice).
- b. In paragraph (b), at the end of the introductory text, the colon is removed and "that—" is inserted.
- c. In paragraph (b)(1), "That" is revised to "The", and the comma is changed to a semicolon.
- d. In paragraph (b)(2), "That the" is revised to read "The", and "which" is revised to "that".
- e. In paragraph (c)(2), "utilization" is revised to "use".

**§ 485.725 [Amended]**

18. In newly designated § 485.725, the following changes are made:

- a. Paragraph (b) is revised to read as set forth below.
- b. In paragraph (c), the designation "(1)" is inserted immediately before the first sentence; "such" is revised to "housekeeping"; the designation "(2)" is inserted immediately before the third sentence; "and/or" is revised to read "or", and "meets" is revised to read "or both meet".
- c. In paragraph (e), "The organization is maintained" is revised to read "The organization's premises are maintained".

**§ 485.725 Condition of participation: Infection control.**

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