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ASPEN: Regulation Set (RS)**

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Aspen Federal Regulation Set: I 09.00 OUTPATIENT PHYSICAL THERAPY

FED - I0000 - INITIAL COMMENTS

Title INITIAL COMMENTS

CFR

Type Memo Tag

Regulation Definition

Interpretive Guideline

FED - I0007 - COMPLIANCE W/ FED, STATE, & LOCAL LAWS

Title COMPLIANCE W/ FED, STATE, & LOCAL LAWS

CFR 485.707

Type Condition

Regulation Definition

Interpretive Guideline

The organization and its staff are in compliance with all applicable Federal, State, and local laws and regulations.

FED - I0008 - LICENSURE OF ORGANIZATION

Title LICENSURE OF ORGANIZATION

CFR 485.707(a)

Type Standard

Regulation Definition

Interpretive Guideline

In any State in which State or applicable local law provides for the licensing of organizations, a clinic, rehabilitation agency, or public health agency is licensed in accordance with applicable laws.

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FED - I0009 - LICENSURE OR REGISTRATION OF PERSONNEL

Title LICENSURE OR REGISTRATION OF PERSONNEL

CFR 485.707(b)

Type Standard

Regulation Definition

Staff of the organization are licensed or registered in accordance with applicable laws.

Interpretive Guideline

FED - I0011 - ADMINISTRATIVE MANAGEMENT

Title ADMINISTRATIVE MANAGEMENT

CFR 485.709

Type Condition

Regulation Definition

The clinic or rehabilitation agency has an effective governing body that is legally responsible for the conduct of the clinic or rehabilitation agency. The governing body designates an administrator and establishes administrative policies.

Interpretive Guideline

FED - I0012 - GOVERNING BODY

Title GOVERNING BODY

CFR 485.709(a)

Type Standard

Regulation Definition

There is a governing body (or designated person(s) so functioning) which assumes full legal responsibility for the

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overall conduct of the clinic or rehabilitation agency and for compliance with applicable law and regulations. The name of the owner(s) of the clinic or rehabilitation agency is fully disclosed to the State agency. In the case of corporations, the names of the corporate officers are made known.

FED - I0015 - ADMINISTRATOR

Title ADMINISTRATOR

CFR 485.709(b)

Type Standard

Regulation Definition

The governing body appoints a full time qualified administrator, delegates to the administrator the internal operation of the clinic or rehabilitation agency in accordance with established written policies, defines clearly the administrator's responsibilities for procurement and directions to personnel, and designates a competent individual to act during temporary absence of the administrator.

Interpretive Guideline

FED - I0019 - PERSONNEL POLICIES

Title PERSONNEL POLICIES

CFR 485.709(c)

Type Standard

Regulation Definition

Personnel practices are supported by appropriate written personnel policies that are kept current. Personnel records include the qualifications of all professional and assistant level personnel, as well as evidence of State licensure if applicable.

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FED - I0022 - PATIENT CARE POLICIES

Title PATIENT CARE POLICIES

CFR 485.709(d)

Type Standard

Regulation Definition

Patient care practices and procedures are supported by written policies established by a group of professional personnel including one or more physicians associated with the clinic or rehabilitation agency, one or more qualified physical therapists (if physical therapy services are provided) and one or more qualified speech pathologists (if speech pathology services are provided). The policies govern the outpatient physical therapy and/or speech pathology services and related services that are provided. The policies are evaluated at least annually by the group of professional personnel, and revised as necessary based upon this evaluation.

Interpretive Guideline

FED - I0047 - PLAN OF CARE & PHYSICIAN INVOLVEMENT

Title PLAN OF CARE & PHYSICIAN INVOLVEMENT

CFR 485.711

Type Condition

Regulation Definition

For each patient in need of outpatient physical therapy or speech pathology services, there is a written plan of care established and periodically reviewed by a physician, or by a physical therapist or speech pathologist respectively.

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FED - I0049 - MEDICAL HISTORY & PRIOR TREATMENT

Title MEDICAL HISTORY & PRIOR TREATMENT

CFR 485.711(a)

Type Standard

Regulation Definition

Interpretive Guideline

The following are obtained by the organization before or at the time of initiation of treatment:

- 1) The patient's significant past history.
- 2) Current medical findings, if any.
- 3) Diagnosis(es), if established.
- 4) Physician's orders, if any.
- 5) Rehabilitation goals, if determined.
- 6) Contraindications, if any.
- 7) The extent to which the patient is aware of the diagnosis(es) and prognosis, and
- 8) If appropriate, the summary of treatment furnished and results achieved during previous periods of rehabilitation services or institutionalization.

FED - I0050 - PLAN OF CARE

Title PLAN OF CARE

CFR 485.711(b)

Type Standard

Regulation Definition

Interpretive Guideline

For each patient there is a written plan of care established by the physician or by the physical therapist or speech language pathologist who furnishes the services.

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The plan of care for physical therapy or speech pathology services indicates anticipated goals and specifies for those services the type, amount, frequency, and duration.

The plan of care and results of treatment are reviewed by the physician or by the individual who established the plan at least as often as the patient's condition requires, and the indicated action is taken. (For Medicare patients, the plan must be reviewed by a physician, nurse practitioner, clinical nurse specialist, or physician assistant at least every thirty days in accordance with 42 CFR 410.61(e).)

Changes in the plan of care are noted in the clinical record. If the patient has an attending physician, the therapist or speech language pathologist who furnishes the services promptly notifies him or her of any change in the patient's condition or in the plan of care.

FED - I0054 - EMERGENCY CARE

Title EMERGENCY CARE

CFR 485.711(c)

Type Standard

Regulation Definition

The rehabilitation agency must establish procedures to be followed by personnel in an emergency, which cover immediate care of the patient, persons to be notified, and reports to be prepared.

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FED - I0055 - PHYSICAL THERAPY SERVICES

Title PHYSICAL THERAPY SERVICES

CFR 485.713

Type Condition

Regulation Definition

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.

Interpretive Guideline

FED - I0056 - ADEQUATE PROGRAM

Title ADEQUATE PROGRAM

CFR 485.713(a)

Type Standard

Regulation Definition

The organization is considered to have an adequate outpatient physical therapy program if it can provide services using therapeutic exercise and the modalities of heat, cold, water, and electricity; conduct patient evaluations; and administer tests and measurements of strength, balance, endurance, range of motion, and activities of daily living.

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

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

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example, for evaluation and reevaluation.

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.

FED - I0057 - FACILITIES AND EQUIPMENT

Title FACILITIES AND EQUIPMENT

CFR 485.713(b)

Type Standard

Regulation Definition

The organization has the equipment and facilities required to provide the range of services necessary in the treatment of the types of disabilities it accepts for service.

Interpretive Guideline

FED - I0058 - PERSONNEL QUALIFIED TO PROVIDE P.T.

Title PERSONNEL QUALIFIED TO PROVIDE P.T.

CFR 485.713(c)

Type Standard

Regulation Definition

Physical therapy services are provided by, or under the supervision of, a qualified physical therapist. The number of qualified physical therapists and qualified physical therapist assistants is adequate for the volume and diversity of physical therapy services offered. A qualified physical therapist is on the premises or readily available during the operating hours of the organization.

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FED - I0063 - SUPPORTIVE PERSONNEL

Title SUPPORTIVE PERSONNEL

CFR 485.713(d)

Type Standard

Regulation Definition

If personnel are available to assist qualified physical therapists by performing services incident to physical therapy that do not require professional knowledge and skill, these personnel are instructed in appropriate patient care services by qualified physical therapists who retain responsibility for the treatment prescribed by the attending physician.

Interpretive Guideline

FED - I0067 - REHABILITATION PROGRAM

Title REHABILITATION PROGRAM

CFR 485.717

Type Condition

Regulation Definition

This condition and 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 which 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 physical therapy and speech-language pathology services to all of its patients who need them.

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FED - I0068 - QUALIFICATION OF STAFF

Title QUALIFICATION OF STAFF

CFR 485.717(a)

Type Standard

Regulation Definition

The agency's therapy services are furnished by qualified individuals as direct services and/or services provided under contract.

Interpretive Guideline

FED - I0069 - ARRANGEMENTS FOR SERVICES

Title ARRANGEMENTS FOR SERVICES

CFR 485.717(b)

Type Standard

Regulation Definition

If services are provided under contract, the contract must specify the term of the contract, the manner of termination or renewal and provide that the agency retains responsibility for the control and supervision of the services.

Interpretive Guideline

FED - I0079 - SERVICES PROVIDED UNDER ARRANGEMENTS

Title SERVICES PROVIDED UNDER ARRANGEMENTS

CFR 485.719

Type Condition

Regulation Definition

Arrangements for physical therapy and speech pathology

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services to be performed by other than salaried organization personnel.

FED - I0080 - CONDITIONS

Title CONDITIONS

CFR 485.719(a)

Type Condition

Regulation Definition

If an organization provides outpatient physical therapy or speech pathology services under an arrangement with others, the services are to be furnished in accordance with the terms of a written contract, which provides that the organization retains professional and administrative responsibility for, and control and supervision of, the services.

Interpretive Guideline

FED - I0081 - CONTRACT PROVISIONS

Title CONTRACT PROVISIONS

CFR 485.719(b)

Type Standard

Regulation Definition

The contract specifies the term of the contract and the manner of termination or renewal, requires that personnel who furnish the services meet requirements that are set forth in this subpart for salaried personnel; and 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 only the provider may bill the beneficiary for covered services furnished under arrangements; and receipt of Medicare payment by the provider, on behalf of an entitled individual, discharges the

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liability of the individual or any other person to pay for those services.

FED - I0090 - CLINICAL RECORDS

Title CLINICAL RECORDS

CFR 485.721

Type Condition

Regulation Definition

The organization maintains clinical records on all patients in accordance with accepted professional standards and practices. The clinical records are completely and accurately documented, readily accessible, and systematically organized to facilitate retrieving and compiling information.

Interpretive Guideline

FED - I0091 - PROTECTION OF CLINICAL RECORD INFORMATION

Title PROTECTION OF CLINICAL RECORD
INFORMATION

CFR 485.721(a)

Type Standard

Regulation Definition

The organization recognizes the confidentiality of clinical record information and provides safeguards against loss, destruction, or unauthorized use. Written procedures govern the use and removal of records and the conditions for release of information. The patient's written consent is required for release of information not authorized by law.

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FED - I0093 - CONTENT

Title CONTENT

CFR 485.721(b)

Type Standard

Regulation Definition

The clinical record contains sufficient information to identify the patient clearly, to justify the diagnosis(es) and treatment, and to document the results accurately. All clinical records must contain the following general categories of data:

- (1) Documented evidence of the assessment of the needs of the patient, of an appropriate plan of care, and of the care and services furnished.
- (2) Identification data and consent forms.
- (3) Medical history.
- (4) Report of physical examinations, if any.
- (5) Observations and progress notes.
- (6) Reports of treatments and clinical findings.
- (7) Discharge summary including final diagnosis(es) and prognosis.

Interpretive Guideline

FED - I0095 - RECORDS COMPLETION & REPORT CENTRALIZATION

Title RECORDS COMPLETION & REPORT

CENTRALIZATION

CFR 485.721(c)

Type Standard

Regulation Definition

Current clinical records and those of discharged patients are completed promptly. All clinical information pertaining to a patient is centralized in the patient's clinical record. Each

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

FED - I0096 - RETENTION & PRESERVATION

Title RETENTION & PRESERVATION

CFR 485.721(d)

Type Standard

Regulation Definition

Clinical records are retained for at least the period determined by the respective State statute, or the statute of limitations in the State; or, in the absence of a State statute, five years after the date of discharge; or, in the case of a minor, 3 years after the patient becomes of age under State law or 5 years after the date of discharge, whichever is longer.

Interpretive Guideline

FED - I0097 - INDEXES

Title INDEXES

CFR 485.721(e)

Type Standard

Regulation Definition

Clinical records are indexed at least according to name of patient to facilitate acquisition of statistical medical information and retrieval of records for research or administrative action.

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FED - I0099 - LOCATION & FACILITIES

Title LOCATION & FACILITIES

CFR 485.721(f)

Type Standard

Regulation Definition

The organization maintains adequate facilities and equipment, conveniently located, to provide efficient processing of clinical records (reviewing, indexing, filing, and prompt retrieval).

Interpretive Guideline

FED - I0117 - PHYSICAL ENVIRONMENT

Title PHYSICAL ENVIRONMENT

CFR 485.723

Type Condition

Regulation Definition

The building housing the organization is constructed, equipped, and maintained to protect the health and safety of patients, personnel, and the public and provides a functional, sanitary, and comfortable environment.

Interpretive Guideline

FED - I0118 - SAFETY OF PATIENTS

Title SAFETY OF PATIENTS

CFR 485.723(a)

Type Standard

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Regulation Definition

Interpretive Guideline

The organization satisfies the following requirements:

- (1) It complies with all applicable State and local building, fire, and safety codes.
- (2) Permanently attached automatic fire-extinguishing systems of adequate capacity are installed in all areas of the premises considered to have special fire hazards. Fire extinguishers are conveniently located on each floor of the premises. Fire regulations are prominently posted.
- (3) Doorways, passageways, and stairwells negotiated by patients are of adequate width to allow for easy movement of all patients (including those on stretchers or in wheelchairs), free from obstruction at all times, and, in the case of stairwells, equipped with firmly attached handrails on at least one side.
- (4) Lights are placed at exits and in corridors used by patients and are supported by an emergency power source.
- (5) A fire alarm system with local alarm capability and, where applicable, an emergency power source is functional.
- (6) At least two persons are on duty on the premises of the organization whenever a patient is being treated.
- (7) No occupancies or activities undesirable or injurious to the health and safety of patients are located in the building.

FED - I0121 - MAINTENANCE OF EQUIPMENT/BUILDINGS/GROUNDS

Title MAINTENANCE OF
EQUIPMENT/BUILDINGS/GROUNDS
CFR 485.723(b)

Type Standard

Regulation Definition

Interpretive Guideline

The organization establishes a written preventive maintenance program to ensure that the equipment is operative and is

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properly calibrated, and the interior and exterior of the building are clean and orderly and maintained free of any defects which are a potential hazard to patients, personnel, and the public.

FED - I0123 - OTHER ENVIRONMENTAL CONSIDERATIONS

Title OTHER ENVIRONMENTAL CONSIDERATIONS

CFR 485.723(c)

Type Standard

Regulation Definition

The organization provides a functional, sanitary, and comfortable environment for patients, personnel, and the public.

(1) Provision is made for adequate and comfortable lighting levels in all areas; limitation of sounds at comfort levels; a comfortable room temperature; and adequate ventilation through windows, mechanical means, or a combination of both.

(2) Toilet rooms, toilet stalls, and lavatories must be accessible and constructed so as to allow use by nonambulatory and semiambulatory individuals.

(3) Whatever the size of the building, there must be an adequate amount of space for the services provided and disabilities treated, including reception area, staff space, examining room, treatment areas, and storage.

Interpretive Guideline

FED - I0150 - SPEECH PATHOLOGY SERVICES

Title SPEECH PATHOLOGY SERVICES

CFR 485.715

Type Condition

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Regulation Definition

If speech pathology services are offered, the organization provides an adequate program of speech pathology and has an adequate number of qualified personnel and the equipment necessary to carry out its program to fulfill its objectives.

Interpretive Guideline

FED - I0151 - ADEQUATE PROGRAM

Title ADEQUATE PROGRAM

CFR 485.715(a)

Type Standard

Regulation Definition

The organization is considered to have an adequate outpatient speech pathology program if it can provide the diagnostic and treatment services to effectively treat speech disorders.

Interpretive Guideline

FED - I0152 - FACILITIES AND EQUIPMENT

Title FACILITIES AND EQUIPMENT

CFR 485.715(b)

Type Standard

Regulation Definition

The organization has the equipment and facilities required to provide the range of services necessary in the treatment of the types of speech disorders it accepts for service.

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FED - I0153 - PERSONNEL QUALIFIED/PROVIDE SPEECH PATH

Title PERSONNEL QUALIFIED/PROVIDE SPEECH

PATH
CFR 485.715(c)

Type Standard

Regulation Definition

Speech pathology services are given or supervised by a qualified speech pathologist and the number of qualified speech pathologists is adequate for the volume and diversity of speech pathology services offered. At least one qualified speech pathologist is present at all times when speech pathology services are furnished.

Interpretive Guideline

FED - I0160 - INFECTION CONTROL

Title INFECTION CONTROL

CFR 485.725

Type Condition

Regulation Definition

The organization that provides outpatient physical therapy services establishes an infection control committee of representative professional staff with responsibility for overall infection control. All necessary housekeeping and maintenance services are provided to maintain a sanitary and comfortable environment and to help prevent the development and transmission of infection.

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FED - I0161 - INFECTION CONTROL COMMITTEE

Title INFECTION CONTROL COMMITTEE

CFR 485.725(a)

Type Standard

Regulation Definition

The infection control committee establishes policies and procedures for investigating, controlling, and preventing infections in the organization and monitors staff performance to ensure that the policies and procedures are executed.

Interpretive Guideline

FED - I0163 - ASEPTIC & ISOLATION TECHNIQUES

Title ASEPTIC & ISOLATION TECHNIQUES

CFR 485.725(b)

Type Standard

Regulation Definition

All personnel follow written procedures for effective aseptic techniques. The procedures are reviewed annually and revised if necessary to improve them.

Interpretive Guideline

FED - I0165 - HOUSEKEEPING

Title HOUSEKEEPING

CFR 485.725(c)

Type Standard

Regulation Definition

The organization employs sufficient housekeeping personnel

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and provides all necessary equipment to maintain a safe, clean, and orderly interior. A full-time employee is designated as the one responsible for the housekeeping services and for supervision and training of housekeeping personnel.

An organization that has a contract with an outside resource for housekeeping services may be found to be in compliance with this standard provided the organization or outside resource both meet requirements of the standard.

FED - I0167 - LINEN

Title LINEN

CFR 485.725(d)

Type Standard

Regulation Definition

The organization has available at all times a quantity of linen essential for proper care and comfort of patients. Linens are handled, stored, processed, and transported in such a manner as to prevent the spread of infection.

Interpretive Guideline

FED - I0169 - PEST CONTROL

Title PEST CONTROL

CFR 485.725(e)

Type Standard

Regulation Definition

The organization's premises are maintained free from insects and rodents through operation of a pest control program.

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FED - I0170 - DISASTER PREPAREDNESS

Title DISASTER PREPAREDNESS

CFR 485.727

Type Condition

Regulation Definition

The organization has a written plan, periodically rehearsed with procedures to be followed in the event of an internal or external disaster and for the care of casualties (patients and personnel) arising from a disaster.

Interpretive Guideline

FED - I0171 - DISASTER PLAN

Title DISASTER PLAN

CFR 485.727(a)

Type Standard

Regulation Definition

The organization has a written plan in operation, with procedures to be followed in the event of fire, explosion, or other disaster. The plan is developed and maintained with the assistance of qualified fire, safety, and other appropriate experts, and includes transfer of casualties and records, the location and use of alarm systems and signals, methods of containing fire, notification of appropriate persons, and evacuation routes and procedures.

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FED - I0173 - STAFF TRAINING & DRILLS

Title STAFF TRAINING & DRILLS

CFR 485.727(b)

Type Standard

Regulation Definition

All employees are trained, as part of their employment orientation, in all aspects of preparedness for any disaster. The disaster program includes orientation and ongoing training and drills for all personnel in all procedures so that each employee promptly and correctly carries out his assigned role in case of a disaster.

Interpretive Guideline

FED - I0180 - PROGRAM EVALUATION

Title PROGRAM EVALUATION

CFR 485.729

Type Condition

Regulation Definition

The organization has procedures that provide for a systematic evaluation of its total program to ensure appropriate utilization of services and to determine whether the organization's policies are followed in providing services to patients through employees or under arrangements with others.

Interpretive Guideline

FED - I0181 - CLINICAL RECORD REVIEW

Title CLINICAL RECORD REVIEW

CFR 485.729(a)

Type Standard

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Regulation Definition

A sample of active and closed clinical records is reviewed quarterly by the appropriate health professionals to ensure that established policies are followed in providing services.

Interpretive Guideline

FED - I0183 - ANNUAL STATISTICAL EVALUATION

Title ANNUAL STATISTICAL EVALUATION

CFR 485.729(b)

Type Standard

Regulation Definition

An evaluation is conducted annually of statistical data such as number of different patients treated, number of patient visits, condition on admission and discharge, number of new patients, number of patients by diagnosis(es), sources of referral, number and cost of units of service by treatment given, and total staff days or work-hours by discipline.

Interpretive Guideline

FED - I9999 - FINAL OBSERVATIONS

Title FINAL OBSERVATIONS

CFR

Type Memo Tag

Regulation Definition

Interpretive Guideline