



## **CMS Clarifies Outpatient Rehabilitation Guidelines for Off-Premises Activities in ALFs and ILFs and Approval of Extension Locations**

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The Centers for Medicare & Medicaid Services recently issued a letter to State Survey Agency Directors (S&C 15-33-OPT) announcing new guidelines in the State Operations Manual (SOM) on survey requirements for Outpatient Physical Therapy (OPT) providers related to services rendered at “off-premise” locations, such as a patient’s room in an assisted living facility (ALF) or independent living facilities (ILF). The new SOM guidelines also address the “two person duty requirement” when services are provided in an ALF/ILF patient’s room and the approval of extension locations for OPT providers.

Under Medicare rules and regulations, an OPT provider is generally limited to providing rehabilitation services at its primary location and any approved extension locations. However, under certain circumstances, Medicare allows OPT providers to provide services at other locations, referred to as off-premise locations, without having to obtain separate certification or approval as an extension location. Allowable off-premise locations include a patient’s private residence, including a patient’s room in a nursing facility, ALF or ILF, and common or general use areas of the facility (i.e., hallway) which are considered extensions of the patient’s room. The new SOM guidelines further clarify that, for the patient’s room in an ALF/ILF to qualify as a permissible off-premise location, the rehabilitation services may only be provided on an intermittent basis and the OPT may not have an ongoing or permanent presence at the location, such as a dedicated gym, storage area for equipment, supplies, or medical records, or regular staffing at the location indicative of an ongoing rehabilitation program. If the location does not meet the criteria to be an off-premise location, CMS would require the OPT provider to obtain separate certification or approval as an extension location.

Medicare also requires OPTs to have at least two persons either employed or contracted by the OPT on duty anytime rehabilitation treatment is provided (i.e., the “two person duty requirement”), including at extension locations in ALFs and SNFs. Because the only exception to this requirement is for rehabilitation services provided at a patient’s private residence, the new SOM guidelines also clarifies that services provided in a patient’s room (or a common or general use area) in the ALF/ILF are considered to be a patient’s private residence and, thus, also exempt from the two person duty requirement.

Finally, the new SOM guidelines clarify prior guidance related to the approval of extension sites with regard to geographic area. CMS currently defines an extension location as a location situated within a 30 mile radius of where 90% of the primary site’s patient population lives. CMS now notes that, while an extension location within 30 miles of the primary OPT site will generally be able to meet the requirements for supervision and oversight to obtain approval, requests for approval of extension locations outside of the 30 mile radius may be approved with adequate documentation to support the ability to maintain oversight and supervision.

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