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July 2, 2018

TO: Physicians, Certified Registered Nurse Practitioners, Physician Assistants, Durable Medical Equipment (DME) and Home Health Providers

RE: Face to Face Rule Change

Chapters 14, 17, 21, 28, and Appendix O to the Alabama Medicaid Agency's Provider Manual are being updated to inform providers that, effective August 01, 2018, in accordance with 42 C.F.R. § 440.70, the initial written prescription/order for home health services and certain medical supplies, equipment, and appliances must be signed and placed by the physician who develops the recipient's written plan of care ("the ordering physician") after the required face-to-face visit is conducted and documented by an authorized practitioner.

Requirements for Placing the Initial Written Prescription/Order for Certain Medical Supplies, Equipment, and Appliances

Effective August 01, 2018, in accordance with 42 C.F.R. § 440.70, the initial written prescription/order for certain medical supplies, equipment, and appliances must be signed and placed by the physician who develops the recipient's written plan of care ("the ordering physician"). The ordering physician may only place the initial written prescription/order after the required face-to-face visit is **conducted** and **documented** by an authorized practitioner. Subsequent written prescriptions/orders for refills, ancillary supplies, repairs or services, or re-certifications do not require the ordering physician's signature or an additional face-to-face visit.

Not all initial written prescriptions/orders for medical supplies, equipment, and appliances require a face-to-face visit be conducted. The face-to-face visit requirement is limited only to the certain medical supplies, equipment, and appliances that are also subject to a face-to-face requirement under the Medicare DME program as "Specific Covered Items." The following link from CMS provides a list of the DME codes for Specific Covered Items that are subject to the face-to-face visit requirements under the Medicare DME program: <https://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/Medicare-FFS-Compliance-Programs/Medical-Review/FacetoFaceEncounterRequirementforCertainDurableMedicalEquipment.html>.

The required face-to-face visit for the initial written prescription/order for certain medical supplies, equipment, and appliances must be related to the primary reason why the recipient requires the medical supplies, equipment, and appliances and must occur no more than six (6) months prior to the start of services.

The required face-to-face visit for the initial written prescription/order for certain medical supplies, equipment, and appliances may be both **conducted** and **documented** by an authorized practitioner. An authorized practitioner includes the ordering physician and the following authorized non-physician practitioners (NPP):

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- Certified registered nurse practitioners or clinical nurse specialists working under a collaboration agreement under Alabama law with the ordering physician;
- Physician assistants under the supervision of the ordering physician; and
- Attending acute or post-acute physicians, if recipients are admitted to home health services immediately after discharge from an acute or post-acute stay.

The ordering physician is also required to review the recipient's written plan of care annually to determine the recipient's continued need for all medical supplies, equipment, and appliances.

DME providers are also required to maintain all such written or electronic documentation in the recipient's medical records.

Refer to Chapter 17—Home Health for more information on the requirements for placing the initial written prescription/order for home health services.

Requirements for Placing the Initial Written Prescription/Order for Home Health Services

Effective August 01, 2018, in accordance with 42 C.F.R. § 440.70, the initial written prescription/order for home health services (i.e., nursing services and home health aide services) must be signed and placed by the physician who develops the recipient's written plan of care ("the ordering physician"). The ordering physician may only place the initial written prescription/order after the required face-to-face visit is **conducted** and **documented** by an authorized practitioner. Subsequent written prescriptions/orders for refills, ancillary supplies, repairs or services, or re-certifications do not require the ordering physician's signature or an additional face-to-face visit.

The required face-to-face visit for the initial written prescription/order for home health services must be related to the primary reason why the recipients require the home health services and must occur within the 90 days before or within the 30 days after the start of the services.

The required face-to-face visit for the initial written prescription/order for home health services may be **conducted** by an authorized practitioner. An authorized practitioner includes the ordering physician and the following authorized non-physician practitioners (NPP):

- Certified registered nurse practitioners or clinical nurse specialists working under a collaboration agreement under Alabama law with the ordering physician;
- Certified nurse midwives under applicable Alabama law;
- Physician assistants under the supervision of the ordering physician; and
- Attending acute or post-acute physicians, if recipients are admitted to home health services immediately after discharge from an acute or post-acute stay.

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The NPP must then **communicate** the clinical findings of the face-to-face visit to the ordering physician. The ordering physician must then **document** those findings in the recipient's medical record.

The ordering physician is also required to review the recipient's written plan of care every sixty (60) days to determine the recipient's continued need for home health services.

Home health service providers are also required to maintain all such written or electronic documentation in the recipient's medical records.

Refer to Chapter 14—Durable Medicaid Equipment (DME), Supplies, Appliances, Prosthetics, Orthotics and Pedorthics (POP) for more information on the requirements for placing the initial written prescription/order for certain medical supplies, equipment, and appliances.