Regulatory Tips- Modality Alert
March 20, 2019

There has been a recent increase in the number of denials for Medicare Part A unattended modalities such as diathermy and e-stim.

Here is the exact denial comment being received:

"Per the RAI manual, only the time requiring the skills of a therapist can be counted on the MDS.
The documentation provided
- *does not support a skilled service was delivered for the entirety of the time the service was billed,*
- *nor does the documentation differentiate between skilled and unskilled time while billing for e-stim."*

Medicare considers skilled time to be:
1. Set-up time
2. Time devoted to skilled adjustment provided during the treatment

Skilled adjustment might mean:
- Adjustment to the electrode placement
- Adjustment to the intensity of the output
- Positioning of the patient for more effective treatment
- Etc.

Supervision time for modalities, while necessary for the safety of the patient, is not considered to be skilled time.

As noted from the reviewer's comments it is necessary to differentiate, in the documentation, skilled vs. non-skilled time so documentation might look something like this.

"Total treatment time for e-stim: 25 minutes
Estim provided to the following muscles: _____
- **Include as much detail as possible to identify the exact location of the electrodes**
- **Note the parameters used along with initial patient response (visible contraction of the muscle and patient report of tolerance to that level, for example)**

Skilled set-up time: 7 minutes
Skilled adjustment time: 4 minutes, including repositioning of one electrode for improved contraction of the _____ muscle."

From this description of the service rendered, *__11 minutes__* can be billed as skilled therapy and, therefore, counted toward MDS minutes. BUT ALSO TAKE NOTICE THE ENTIRE TIME IS LISTED IN THE NOTE SO AS TO DISTINGUISH THE NON-SKILLED VS SKILLED TIME!!!

If the modality is being used for **pain management**, Medicare also **expects to see the patient's pain rating before and after the treatment.**