



COMPLIANCE CHECK

LMNs Documentation APTA Guidance

NSM is committed to providing safe, quality care to our clients. We are equally as committed to providing that care ethically and in compliance with all applicable laws, regulations and payer agreements. One of the highest areas of risk for our industry is the documentation we're required to provide by our payers. To make certain we all understand how to follow the documentation guidelines in a compliant way, we have an existing Medical Documentation Policy which states, in part:

NSM must meet all documentation requirements for every payer on every work order. All required documents must be created, completed and corrected following the payers' policies.

For documents, or sections of documents, that must be written by the medical professional, such as justification of medical necessity or progress notes, **NSM employees must not write nor enter the information nor act as a scribe for the professional. Any information on a document that is presented as the work of the physician, therapist or other medical professional, must be completed by that professional.**

(The full policy is located on [WNSM in the Compliance Department P&P section.](#))

Our policy is based on clear guidance from Medicare and other payers regarding who is allowed to medically justify equipment ordered by a physician. Unless a payer **clearly states** that an ATP or other supplier employee is allowed to write a document justifying medical need, NSM employees **may not author nor may they scribe** the justification. If a therapist pushes back or asks you to write or scribe a document or a section of a document intended to be their work, please provide them with a copy of the **APTA No Scribing Guidance, which can be found on WNSM in the Compliance section.**

If a payer allows or requests supplemental information from our ATPs, any document they create would be labeled and considered as a supplement to, **not a replacement for**, the clinician's need to document the medical necessity, and that supplement would clearly indicate that it was authored by the ATP.

What does this mean on a practical basis?

- ATPs **can** educate therapists on how to justify equipment based on a client's documented medical needs. Our payers expect the therapist to be an expert in the need for equipment but part of our role in the process is to keep them up to date on what's available and how to explain why it meets the medical need they've identified.
- ATPs **can** provide a line item list of equipment with codes for a specific client but the medical need for each item must be documented by the clinician.



- ATPs **can** provide **supplemental** justification that connects the dots from the clinicians' records to our equipment recommendations when a payer **requests or allows for that** but it must be clear that the ATP is the author and that the document is intended to complement, **not replace**, the medical justification from the clinician. We still need an LMN **from** and **authored by** the clinician. Any ATP supplemental document must be dated after the clinician's justification document.
- ATPs **cannot** write the line item justifications for a specific client/order and provide them to a clinician to use in their documentation.
- ATPs **cannot** write medical justification and provide it to a therapist to copy and paste onto a form or their letterhead.
- ATPs **cannot** complete sections of forms that detail justification unless the payer CLEARLY states that they can and it's clear what sections were completed by the ATP.
- A "Supplier Provided Form" does not mean an LMN/LIJ created by the supplier or ATP, it refers primarily to the DWO form that lists the equipment, not the justification. "Supplier Provided" does not mean "Supplier Completed". We cannot complete a document for a clinician.

There have been many passionate arguments made about an ATP's role in the process, including that the requirement of the ATP certification should imply that they're allowed to provide justification. While that might be a very valid argument in principle, until payers change their position and allow us to justify medical necessity, we're bound by their current requirements. We can work to change the system but until we do, **we are required to follow the payer guidelines**.

We understand the time restraints and funding burdens faced by our clinicians but, under current payer guidelines, we cannot perform actions expected to be done by a clinician to help ease those burdens. We can provide education and training to make their jobs easier but the payers expect them to be well educated in the provision of equipment to meet the medical needs diagnosed by the medical professionals. If a therapist pushes back and asks you to write or scribe documents or sections of documents that are meant to be their work, again, **please feel free to provide them with the APTA No Scribing Guidance, which can be found on WNSM in the Compliance section**.

To reiterate, NSM ATPs or other employees should never write client specific medical justification, unless clearly allowed by the payer in writing, and we should never write justification that a clinician presents as their own work. If you need clarification on what a specific payer allows, please contact your Payer Relations team. If you have questions about the policy in general or anything else related to what's compliant, please contact us at Compliance@nsm-seating.com.

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We appreciate your continued commitment to our goal of **Not One Bad Dollar**.