

Medicare Compliance when Physician Assistant Students Participate in Patient Care

Introduction

It is typical for PA (and other health professional) students to have “hands on” involvement in patient care during their clinical education. In fact, it is essential that these clinical opportunities exist to maximize the student’s learning experience and to properly prepare students to deliver appropriate health care services to patients.

Difficulty exists in determining how the Medicare program accounts for the involvement of students who assist their clinical preceptors in delivering patient care to Medicare beneficiaries. At the present time there is no statutory authority (legislative payment mechanism) for PA students, medical students or most other health professional students to have their services covered. Within the Medicare program, a lack of specific coverage authority tends to equate to a lack of coverage. However, it should be pointed out that the physician assistant profession is not currently seeking an expansion of Medicare’s payment policy to allow PA students to bill for their services.

Issues

Use of the correct terminology and conceptual framework is essential when discussing this issue. The immediate issues are:

- the ability of, and the extent to which, students may participate in patient care; and
- how to incorporate the student’s involvement/delivery of services into the medical care being provided by the authorized Medicare Part B clinical preceptor, and how to bill/account for the entire patient encounter.

Background

One of the reasons that this issue is coming to the forefront is due to a general increase in scrutiny that the federal government is placing on the entire area of compliance and fraud and abuse detection. In addition, over the past few years a number of teaching hospitals were fined and/or had to repay substantial amounts of money due to inappropriate billing for medical resident services.

In 1995 the Health Care Financing Administration (now called the Centers for Medicare and Medicaid Services) released rules detailing the billing requirements for teaching physicians who precept residents. Many mistakenly believe that these rules also apply to physician assistant students. While some of the concepts utilized in the resident billing regulations appear to be consistent with how PA students are trained and supervised, physician assistants or physician assistant students are not mentioned in the regulation. The rule deals with residents, defined as doctors of medicine, osteopathy, dentistry or podiatry, and does not specifically apply to PAs or PA students.

Medical Students

Medical students have the same concerns as physician assistant students when it comes to accounting for their services. There is little direct mention of medical students in Medicare regulations. Medicare regulations state that a medical student is never considered to be a resident. Any contribution of a medical student to the performance of a service or billable procedure must be performed in the physical presence of a physician or jointly with a resident in a service meeting the requirements set forth for teaching physician billing. Medicare regulations do allow medical students to perform the past, family and social history and the review of systems. The student's preceptor (physician or PA) must simply review this information that is collected by the student and it can become part of the official medical record. This work performed by the student can then become part of the medical documentation for the preceptor's billing purposes.

Guidelines for Physician Assistant Student Preceptors

The following are guiding principles for PA student preceptors, that while not officially approved by the Medicare program should provide a framework for supervising physician assistant students:

- The authorized Medicare practitioner/clinical preceptor is ultimately responsible for assuring the highest quality patient care;
- The authorized Medicare practitioner/clinical preceptor is the only individual who has the ability to submit a claim for care delivered to Medicare beneficiaries;
- The clinical preceptor's responsibility is to insure that the appropriate standard of care is received by the patient;
- On each visit where evaluation and management services are provided, or medical/surgical procedures are performed, the patient should always be personally seen and treated by the clinical preceptor;
- The clinical preceptor must supervise the activities of the student;
- PA students are not covered under the teaching physician /resident billing rules. The Medicare authorized practitioner/clinical preceptor must always supervise and/or provide the necessary components of a given service provided to the Medicare beneficiary.

Regarding evaluation and management services, the Medicare program has indicated that the service provided by a medical student is billable under the preceptor if personal supervision (in the same room) is provided when the student is performing the service (section 15016 of Part 3 of the Medicare Carriers Manual). AAPA believes that this same rationale should apply to PA students.

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