

9505.0410 LONG-TERM CARE FACILITIES; REHABILITATIVE AND THERAPEUTIC SERVICES TO RESIDENTS.

Subpart 1. **Eligible providers.** The providers in items A to F are eligible for medical assistance payment on a fee for service basis for restorative therapy and specialized maintenance therapy that is provided according to part 9505.0390 and that is provided at the site of a long-term care facility to a recipient residing in the long-term care facility:

- A. a long-term care facility as defined in part 9505.0175, subpart 23;
- B. a rehabilitation agency as defined in part 9505.0385;
- C. a comprehensive outpatient rehabilitation facility as defined in part 9505.0386;
- D. a physical therapist as defined in part 9505.0390;
- E. an occupational therapist as defined in part 9505.0390; and
- F. a speech-language pathologist or audiologist as defined in part 9505.0390, subpart 1, item E.

Subp. 2. **Payment limitation.** To be eligible for medical assistance payment, rehabilitative and therapeutic services provided to recipients residing in a long-term care facility must comply with the requirements of parts 9505.0170 to 9505.0475.

Subp. 3. **Payment for restorative therapy and specialized maintenance therapy.** Medical assistance payment for restorative therapy and specialized maintenance therapy may be made according to part 9505.0445, item O, or as provided in parts 9549.0010 to 9549.0080 or 9553.0010 to 9553.0080, or as specified in the contract between the department and a prepaid health plan according to part 9505.0285.

Subp. 4. **Payment for rehabilitative nursing services.** Medical assistance payment for rehabilitative nursing services shall be as provided in parts 9549.0010 to 9549.0080 or 9553.0010 to 9553.0080, as applicable. However, payment for a rehabilitative nursing service shall not be made on a fee for service basis.

Subp. 5. **Reporting of fees for service by long-term care facility.** A long-term care facility that receives medical assistance payment on a fee for service basis for the provision of restorative and specialized maintenance therapy to a resident shall report the therapy income in accordance with parts 9549.0010 to 9549.0080 or 9553.0010 to 9553.0080, as applicable. This subpart applies to medical assistance payments made to the long-term care facility for therapy services provided by an employee or by a related organization. For purposes of this subpart, "related organization" has the meaning given it in Minnesota Statutes, section 256B.433, subdivision 3, paragraph (b).

Subp. 6. **Prohibited practices.** If medical assistance payment is made to a provider other than a long-term care facility for restorative therapy and specialized maintenance

therapy, the long-term care facility in which the recipient resides must not request or receive payment from the provider in excess of the limit on charges specified in Minnesota Statutes, section 256B.433, subdivision 3, paragraph (c).

Statutory Authority: *MS s 256B.04*

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