

PART 485—CONDITIONS OF PARTICIPATION AND CONDITIONS FOR COVERAGE: SPECIALIZED PROVIDERS

C. Part 485 is amended as set forth below.

1. The authority citation for part 485 is revised to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395(hh)).

2. The heading of part 485 is revised to read as follows:

PART 485—CONDITIONS OF PARTICIPATION: SPECIALIZED PROVIDERS

§ 485.70 [Amended]

3. In § 485.70, the following changes are made:

a. In § 485.70(e), “§ 485.70(d) and (e) of this chapter.” is revised to read “paragraphs (b) and (c) of § 485.705.”

b. In § 485.70(m), “§ 405.1702(j) of this chapter.” is revised to read “§ 485.705(f).”.

4. The heading and table of contents of newly designated subpart H read as follows:

Subpart H—Conditions of Participation for Clinics, Rehabilitation Agencies, and Public Health Agencies as Providers of Outpatient Physical Therapy and Speech-Language Pathology Services

Sec.

- 485.701 Basis and scope.
- 485.703 Definitions.
- 485.705 Personnel qualifications.
- 485.707 Condition of participation: Compliance with Federal, State, and local laws.
- 485.709 Condition of participation: Administrative management.
- 485.711 Condition of participation: Plan of care and physician involvement.
- 485.713 Condition of participation: Physical therapy services.
- 485.715 Condition of participation: Speech pathology services.
- 485.717 Condition of participation: Rehabilitation program.
- 485.719 Condition of participation: Arrangements for physical therapy and speech-language pathology services to be performed by other than salaried organization personnel.
- 485.721 Condition of participation: Clinical records.
- 485.723 Condition of participation: Physical environment.
- 485.725 Condition of participation: Infection control.
- 485.727 Condition of participation: Disaster preparedness.
- 485.729 Condition of participation: Program evaluation.

§§ 485.707, 485.715, 485.723, 485.727, 485.729 [Amended]

5. In newly designated subpart H, in the following sections, the section heading is amended to change the dash to a colon and to capitalize the first word after the colon:

§§ 485.707, 485.715, 485.721, 485.723, 485.727, and 485.729.

6. Newly designated § 485.701 is revised to read as follows:

§ 485.701 Basis and scope.

This subpart implements section 1861(p)(4) of the Act, which—

- (a) Defines outpatient physical therapy and speech pathology services;
- (b) Imposes requirements with respect to adequate program, facilities, policies, staffing, and clinical records; and
- (c) Authorizes the Secretary to establish by regulation other health and safety requirements.

§ 485.703 [Amended]

7. In newly designated § 485.703, the heading is revised to read *Definitions.*, and the paragraph designations are removed.

§ 485.705 [Amended]

8. In newly designated § 485.705, a section heading and introductory text are added, to read as follows:

§ 485.705 Personnel qualifications.

The training, experience, and membership requirements for personnel involved in the furnishing of outpatient physical therapy and speech-language pathology services are as follows:

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§ 485.707 [Amended]

9. In newly designated § 485.707, the following changes are made:

- a. In the introductory text and paragraph (a), “clinic, rehabilitation agency, or public health agency” and the plural version of that phrase are revised to read “organization” and “organizations”, respectively.
- b. In paragraph (a), “pursuant to such law” is revised to read “in accordance with applicable laws”.

§ 485.709 [Amended]

10. In newly designated § 485.709, the following changes are made:

- a. Paragraph (b) is revised to read as set forth below.
- b. In paragraph (c), second sentence, “where” is revised to “if”.
- c. In paragraph (d), second sentence, “which” is revised to “that”.

§ 485.709 Condition of participation: Administrative management.

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(b) *Standard: Administrator.* The governing body—

(1) Appoints a qualified full-time administrator;

(2) Delegates to the administrator the internal operation of the clinic or rehabilitation agency in accordance with written policies;

(3) Defines clearly the administrator’s responsibilities for procurement and direction of personnel; and

(4) Designates a competent individual to act during temporary absence of the administrator.

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§ 485.711 [Amended]

11. In newly designated § 485.711, the following changes are made:

a. In paragraph (a), introductory text, “prior to” is revised to read “before”.

b. Paragraph (b)(1) is revised to read as set forth below.

c. In paragraph (b)(3), the parenthetical statement, “at least every 30 days” is inserted immediately before “in accordance”, and “§ 424.25(e)” is revised to read “§ 410.61(e)”.

d. Paragraph (b)(4) is revised to read as set forth below.

e. In paragraph (c), second sentence, “There are” is revised to read “The”, and “that covers” is revised to read “cover”.

§ 485.711 Condition of participation: Plan of care and physician involvement.

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(b) *Standard: Plan of care*—(1) For each patient there is a written plan of care established by the physician or by the physical therapist or speech-language pathologist who furnishes the services.

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(4) Changes in the plan of care are noted in the clinical record. If the patient has an attending physician, the therapist or speech-language pathologist who furnishes the services promptly notifies him or her of any change in the patient’s condition or in the plan of care.

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§ 485.713 [Amended]

12. In newly designated § 485.713, the following changes are made:

a. The introductory text is revised to read as set forth below.

b. In paragraph (a)(1) introductory text, “will be” is revised to read “is”.

c. In paragraph (a)(1)(i), “utilizing” is revised to “using”.

d. Paragraph (a)(2) is revised to read as set forth below.

e. In paragraph (b), “accepted” is revised to read “it accepts”.

f. In paragraph (d), “such” is revised to “these”.