

Two persons on duty requirement:

State Operations Manual (SOM), Chapter 2- The Certification Process, Providers of Outpatient Physical Therapy and/ or Outpatient Speech Pathology Services Specified in 42 CFR 485.701-485.729

2292B-Rehabilitation Agency, Clinic and Public Health Agency

Two person duty requirement: Organizations must always have at least two persons (either of its own personnel or its contracted personnel) on duty on the premises **anytime** rehabilitation treatment is being provided to a patient. The two person requirement does not specify which staff must be on duty (in other words, professional staff or a combination of professional staff and support staff), but the organization must consider the supervision required of support staff.

Rehabilitation agencies must have at least two persons on duty anywhere that it provides rehabilitation services, including in assisted living and independent living facilities, in order to meet the regulation at 42 CFR 485.723(a)(6). However, the only exception for the two person duty requirement is when rehabilitation services are being provided at a patient's private residence.

This requirement is for the safety of the patients. It is not a new requirement, but is sometimes overlooked, particularly at a rehabilitation agency's extension location(s). Refer to Interpretive Guidance Tag I-118 in Appendix E of the SOM.

Interpretive Guidelines 42 CFR 485.723(a)

General A....

Anytime a patient is being treated by the organization, at least two organization staff will be on duty on the premises. This requirement is for the safety of the patients. It is not a new requirement, but it sometimes overlooked, at either the primary site of the rehabilitation agency or the rehab agency's extension location(s).

Staff time cards can be compared against patient sign in sheets if there are concerns regarding the two person duty requirement.