

## CLINICAL CRITERIA TO DETERMINE MEDICAL NECESSITY PHYSICAL MEDICINE SERVICES

The purpose of this document is to provide the basic framework for clinical reviewers to use to identify the clinical appropriateness and medical necessity of physical medicine services. When considering clinical information submitted for medical necessity review, the following data elements and corresponding details are evaluated to ensure correlation to the presenting diagnosis and proposed care plan:

- Chief Complaint(s)
- Past Medical History
- Age
- Mechanism of Onset
- Duration of Symptoms (acute or chronic)
- Evaluation and Re-evaluation findings
- Current and Prior Functional Status
- Results of Diagnostic Testing (if applicable)
- Diagnostic Impression
- Complicating Factors (conditions or circumstances that may affect the patient's response to care)
- Prior and/or Concurrent Treatment History
- Evidence of appropriate referral or specialty consultation for difficult diagnostic or complex and comorbid therapeutic challenges
- Prognosis
- Plan of Care

**Physical Medicine** is considered medically necessary when provided for the purpose of preventing, minimizing, or eliminating impairments, functional limitations, or participation restrictions. Physical Medicine services are not provided exclusively for the convenience of the patients or practitioners, for relaxation, or for personal lifestyle enhancement. These services must require the specialized knowledge, clinical judgment, and skills of a qualified physical medicine practitioner. In addition, the type, amount, and duration of services outlined in the care plan must reasonably result, or be expected to result in increased function, minimizing loss of function, or decreased risk of injury and symptoms.

The services provided must require the practitioners to exercise prudent clinical judgment, treating the patient in a manner that is:

- Safe and effective according to generally accepted standards of health care practice;
- Clinically appropriate, in terms of type, frequency, extent, site and duration, and considered effective for the patient's illness, injury, condition, or disease;
- Not primarily for the convenience of the patient or the practitioner; and
- Not costlier than an alternative service or sequence of services, or site of service, and at least as likely to produce equivalent therapeutic or diagnostic results given the nature of the patient's diagnosis, treatment, illness, injury, disease, the severity of the patient's symptoms, or other clinical criteria.

For these purposes, "generally accepted standards of health care practice" means standards that are 1) based on credible scientific evidence published in peer-reviewed literature, 2) consistent with guidelines and recommendations published by the relevant clinical and professional societies and/ or 3) represent the consensus views of practitioners practicing in related clinical practice areas.

Determination of medical necessity is also dependent upon the following:

- The choice of intervention should be supported by the patient history, physical examination, symptoms, diagnostic findings, diagnosis, prognosis and other relevant clinical information;
- The referral or presenting problem should be for a diagnosis or condition which the practitioner can effectively treat, based on scope of license; and
- The plan of treatment must coincide with a diagnosis established and supported within the clinical record.
- Care is delivered by a qualified practitioner who is licensed or certified where required and performs within the scope of licensure); and
- Requires the judgment, knowledge, and skills of a qualified practitioner due to the complexity and sophistication of the therapy and the physical condition of the patient.

When a practitioner determines that additional or continued treatment is indicated within an episode of care, the following criteria are reviewed:

- Initial and current subjective symptoms and functional limitations, as described by the patient;
- Examination and re-examination findings, results of diagnostic tests, daily treatment notes, and objective data;
- The initial and current diagnostic impression; and
- The prognosis, goal status, and plan of care to include expected treatment period and frequency.

**Clinically significant improvement** is defined as objectively measurable clinical and functional improvement in a patient's health outcome as reflected by a decrease in symptoms and an increase in specific functions that show positive correlation with an improvement in objective clinical findings. During the process of determining the clinical outcome of a course of treatment for a specific condition and episode of care, a Problem Oriented Medical Record (POMR) should reflect the patient's clinical improvement.

Examples of clinically significant improvement include, but are not limited to:

- Regaining the ability to perform specific functional tasks that were quantified during the initial evaluation and/or in a subsequent re-evaluation.
- Improvement in outcomes, such as a clinically significant change in symptom severity or in scores on appropriately applied, validated outcome assessments;
- Elimination or reduction of a previously positive examination finding;
- Minimal detectable changes in scores or measurements as established through valid objective clinical measurement methods or devices.

Clinically significant improvements from physical medicine services can be expected within a 4-week period from the onset of care for an acute condition or an acute exacerbation of a chronic condition. The expected level of improvement, rate of change, and required duration and frequency of care vary by diagnosis in concert with the patient's age, mechanism of onset, duration of condition, contributing history, and the presence or absence of complicating or comorbid factors.

In the event an individual patient's response to physical medicine treatment for their condition is less than expected based on the clinical presentation, additional consideration will be given to best practices for management of that condition. In cases where best practices include additional medical or psychological management, the clinical records should indicate that there has been consideration of these other treatments and/or referral to the patient's primary care physician or appropriate medical specialist.

**Maximal Medical Improvement (MMI)** is defined as the point at which the patient's clinical condition has stabilized and further physical medicine treatment is unlikely to result in clinically significant functional improvement. In essence, the patient is at a response point to treatment, where the patient is fluctuating between previously attained high and low points in their recovery, without the reasonable expectation that significant improvements are foreseeable. Ongoing care after a patient's condition has stabilized or reached a clinical plateau is called maintenance therapy.

**Maintenance Therapy** means services performed repetitively to maintain a level of function. A maintenance program consists of activities that preserve the patient's present level of function and prevent regression of that function. These services generally would not involve complex physical medicine procedures, nor would they typically require clinical judgment and skills for safety and effectiveness. Maintenance begins when the therapeutic goals of a treatment plan have been achieved, or when no additional long-term functional progress is apparent or expected to occur with the form, style or nature of the physical medicine treatment being rendered.

## Manipulative Therapy

In establishing a fundamental need for manipulation, the treating practitioner must maintain a clinical record that includes an appropriate new and/ or established patient history and physical examination, and a goal-oriented care plan with measurable treatment goals. This collectively will be considered the key-components of an evaluation and management service.

Examples of clinically significant improvement may include, but are not limited to:

- Corresponding reduction and/or mitigation in subjective symptoms;
- Measured improvement in objective findings (i.e., orthopedic tests, neurologic signs, joint specific and region-specific ranges of motion, musculoskeletal asymmetry at rest, palpation of tender and sensitive zones, tissue texture changes, muscle strength metrics); and
- A qualitative and/or quantifiable improvement in the patient's ability to perform specific functional tasks and/or activities of daily living as measured by the Patient-Specific Functional Scale (PSFS) or similar validated patient reported clinical outcome measure. For example, a clinically relevant improvement in the PSFS can be indicated by a change of at least 2 points in the average score of all activities or at least a 3-point change in a single activity over the reported baseline within a 4-week period.

Dosage and frequency of treatment is based on a compilation of well-established, recognized treatment guidelines, including the Apollo Managed Care Guidelines and ODG by MCG.

Specific to Medicare, manipulative therapy services requires the primary diagnosis to be a spinal subluxation diagnosis code, followed by a secondary neuro-musculoskeletal diagnosis code. Medicare also mandates the History, Physical Examination, and Goal Oriented Treatment Plan in the form of an appropriate Evaluation & Management (E&M) service, must demonstrate a causal relationship between the spine and the patient's presenting complaint, which demonstrates medical necessity for spinal manipulation.

In addition to an appropriate Evaluation & Management service, medical necessity for manipulative therapy services should be supported by three elements of documentation:

- Presence of a spinal subluxation;
- Evidence of the subluxation by X-ray or physical examination; and
- Documentation of the initial and subsequent visits.

Also specific to Medicare, it is required the acronym P.A.R.T. (Pain, Asymmetry, Range of Motion, and Tissue/Tone) must be used in the Daily Chart Notes to describe the examination components indicating that a patient is suffering from a spinal condition amenable to manipulation. At least 2 of the 4 P.A.R.T. criteria must be met, with one of them being the "A" or "R" component.

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## Physical and Occupational Therapy

Physical and occupational therapy may be medically necessary and appropriate for evaluating, diagnosing, and treating persons with identified physical and cognitive impairments, functional limitations, or participation restrictions as a result of developmental, pathological, or accidental injury affecting the cardiopulmonary, integumentary, neurological, and/or musculoskeletal systems.

Practitioners should complete an initial evaluation which includes patient history, systems review, test and measures, evaluation, diagnosis, prognosis, and plan of care. Practitioners should document clinically significant improvement in daily treatment notes and periodic progress reports.

Examples of clinically significant improvement include, but are not limited to:

- Ability to perform previously identified and specific functional tasks and/or activities of daily living which were quantified during the initial evaluation and/or in a subsequent re-evaluation;
- Minimal detectable change as demonstrated on appropriately applied outcome assessment tools; For example, a clinically relevant improvement in the Patient-Specific Functional Scale (PSFS) may be indicated by a change of at least 2 points in the average score of all activities or at least a 3- point change in a single activity over the reported baseline within a 4-week time frame;
- Clinically significant reduction in symptom severity, such as pain scale reduction of at least 2 points on a 10-point visual analog scale or pain rating;
- Elimination or reduction of a previously positive orthopedic test or neurological finding;
- Clinically significant gain in range of motion, muscular strength, endurance, or power as evidenced by improvement to a specific functional activity defined in measurable terms.

For Medicare members, physical/occupational therapy is considered medically necessary if the patient's condition has the potential to improve or is improving in response to therapy and there is an expectation that the anticipated improvement is attainable in a reasonable and generally predictable time frame; or the patient's condition requires the specialized knowledge, clinical judgment, and skills of a therapist to maintain, prevent or slow the deterioration of a patient's functional status, and the services cannot be otherwise safely and effectively carried out by other clinical personnel or non-clinical care practitioners.

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## Speech Therapy

Speech therapy may be medically necessary and appropriate for evaluating, diagnosing, and treating patients with identified functional limitations or inabilities because of developmental, pathological, or accidental injury affecting one's cognitive, communication, and/or oral motor/feeding skills. In addition to the standard elements of medical record, practitioners should document clinically significant improvement upon re-evaluation, or subsequent treatment visits.

Examples of clinically significant improvement include, but are not limited to:

- Ability to perform previously identified and specific functional tasks that were quantified during the initial evaluation and/or in a subsequent re-evaluation;
- Minimal detectable change as demonstrated on appropriately applied outcome-assessments;
- Reduction in functional deficits;
- Elimination or reduction of a previously positive examination finding;
- Improvement in cognitive, communication, and/or oral motor/feeding skills as established through valid objective measurement methods;
- Gain in cognitive, communication, and/or oral motor/feeding skill(s) as evidenced by improvement to a specific functional task defined in measurable terms.

In addition to National Outcome Measurement System (NOMS), a speech therapist may utilize other outcome tools relevant for the patient's clinical status to assess and document a patient's response to treatment. Appropriate scoring and application details should be supplied for these outcome tools. Outcome measures such as Child Outcomes Summary Form (COSF), Pediatric Evaluation of Disability Inventory (PEDI), or WEE-FIM can be used to track speech therapy progress in a pediatric patient. Other measures such as a speech/ language, and/or fluency sample or diet diary can provide objective information about the patient's functional difficulties and demonstrate progress.

Specific to Medicare, speech therapy is considered medically necessary when provided for the purpose of preventing, minimizing, or eliminating impairments and is not provided exclusively for the convenience of the patient or practitioner. The services provided must require the specialized knowledge, clinical judgment, and skills of a licensed speech therapist. In addition, the type, amount, and duration of services outlined in the plan of care should be expected to increase the likelihood of meeting one or more of these goals: improve function, prevent, or minimize loss of function. Documentation should be clear as to why skilled speech therapy is necessary to improve or maintain a patient's condition or to prevent further deterioration of the patient's condition.

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## Acupuncture

Acupuncture practitioners should complete an initial evaluation which includes patient history, system review, tests and measures, evaluation, diagnosis, prognosis, and plan of care. In establishing a fundamental need for acupuncture, the treating practitioner must maintain a clinical record that includes an appropriate new and/ or established patient history and physical examination, and a goal-oriented care plan with measurable treatment goals. This collectively will be considered the key components of an evaluation and management service.

Practitioners should document clinically significant improvement in daily treatment notes and progress reports. Examples of clinically significant improvement include, but are not limited to:

- Ability to perform previously identified and specific functional tasks and/or activities of daily living which were quantified during the initial evaluation and/or in a subsequent re-evaluation;
- Minimal detectable change as demonstrated on appropriately applied outcome assessment tools; For example, a clinically relevant improvement in the Patient-Specific Functional Scale (PSFS) may be indicated by a change of at least 2 points in the average score of all activities or at least a 3- point change in a single activity over the reported baseline within a 4-week time frame;
- Clinically significant reduction in symptom severity, such as pain scale reduction of at least 2 points on a 10-point visual analog scale or pain rating;
- Elimination or reduction of a previously positive orthopedic test or neurological finding;
- Clinically significant gain in range of motion, muscular strength, endurance, or power as evidenced by improvement to a specific functional activity defined in measurable terms.

Acupuncture treatment must meet all the following criteria to satisfy medical necessity:

- Meet the functional needs of a patient who suffers from functional or physical impairment due to disease, trauma, congenital anomalies or prior therapeutic intervention;
- Each episode of care is delivered as part of coordinated care with other appropriate biomedical and non-biomedical practitioners, and appropriate documentation establishes and represents coordination of care throughout;
- Achieves a specific diagnosis-related goal for a patient who has a reasonable expectation of achieving significant measurable functional improvement in a reasonable and predictable time period;
- Provides specific, effective, and reasonable treatment for the patient's diagnosis and physical condition;
- Is delivered by a qualified practitioner of acupuncture services (a qualified practitioner who is licensed or certified where required and performs within the scope of licensure); and
- Requires the judgment, knowledge, and skills of a qualified practitioner of acupuncture services due to the complexity and sophistication of the therapy and the physical condition of the patient.

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## Medical Massage

Medical massage or therapeutic massage is an outcome-based treatment modality to minimize pain and improve functions. Medical massage or therapeutic massage may be medically necessary when there is a diagnosis-specific prescription and is part of the care plan from an attending practitioner with prescribing authority.

Medical massage or therapeutic massage is considered medically necessary when all the following criteria are met:

- The patient has at least one functional limitation, such as walking, sitting, or standing;
- The patient has at least one pain complaint in a body region, such as headache, neck or back pain, or carpal tunnel pain;
- The patient has a clear and verifiable clinical finding such as lymphedema, myofascial trigger points or findings on a P.A.R.T. (Pain, Asymmetry, Range of Motion, and Tissue/Tone) exam that are clinically related to the patient's condition;
- There is evidence of therapeutic benefits by patient-reported functional outcome measures, such as Patient-Specific Functional Scale (PSFS), or by periodic objective examination findings by or reported to the referring prescribing practitioner; and
- Clinically significant improvement can be expected to occur within a reasonable and predictable time frame.

Medical massage is not considered medically necessary when one of the following occurs:

- There is no written care plan for treatment of a specific diagnosis or functional limitation;
- The services do not ordinarily require the skills, sophistication, training, and full attention of a qualified therapeutic massage practitioner;
- The patient has no documented functional limitations or pain complaints;
- When treatment is without documented evidence of lasting therapeutic benefits noted over periodic re-evaluations conducted at 4-to-6-week intervals; or
- When the treatment goal is not related to the resolution of the patient's pain symptoms or functional restrictions. For example, relaxation massage for reduction of ongoing situational stress symptoms or temporary relief of inflammatory muscle pain from an untreated metabolic disorder.