

## **Most Frequently Asked Face-to-Face Questions – May 6, 2011**

### **Can a home health agency Medical Director or physician perform the face-to-face encounter?**

If a home health agency Medical Director or physician meets one of the exceptions of 42 CFR §411.355 through §411.357, he or she may perform the face-to-face encounter and subsequently certify home health eligibility.

### **Can someone separately draft the face-to-face narrative if the certifying physician performs the encounter?**

Yes, in certain conditions. We allow certifying physicians the flexibility to generate the face-to-face encounter documentation from their electronic medical record entries regarding the patient and we allow the physician's support staff to extract the documentation from the physician's medical record entries for the physician to sign. In the case of patients admitted to home health from the hospital, hospital discharge planners who have access to the medical record entries of the physician who attended to the patient during the hospital stay may extract the documentation, assuming the attending is also the certifying physician. However, because the ACA provision requires the certifying physician to document the encounter, the law does not allow a home health agency to draft the documentation for the physician to sign.

### **Please define "physician support staff" who can assist the physician in drafting his narrative.**

Physician support staff are those staff who work with or for the physician on a regular basis, and, as part of their job duties regularly perform documentation, take dictation from the physician and/or extract from the physician's medical records to support the physician in a variety of ways. We note that HHA staff cannot assist the physician in drafting the narrative as this would violate the statutory requirement.

### **How many signatures are needed for the face-to-face documentation?**

One physician signature suffices if the face-to-face encounter documentation is co-located with the physician's certification of eligibility. Otherwise, if the face-to-face documentation is attached as an addendum to the certification (a separate document), the face-to-face documentation and certification each require a signature. Electronic signatures are acceptable.