

Information for physiotherapists – Students and the Medicare Benefits Schedule

History

In 2017, a member of the Australian Physiotherapy Association (APA) sought confirmation of the scope of activity that a supervised entry-level physiotherapy student could undertake where the patient being treated sought to claim a rebate under the Medicare Benefits Schedule (MBS).

On 18 December 2017, the Assistant Secretary (Diagnostic Imaging and Pathology) of the Commonwealth Department of Health confirmed that the following information was accurate and reflected the relevant regulations.

Physiotherapists must undertake the service

- A physiotherapy service that attracts an MBS rebate can only be provided by an eligible physiotherapist, as defined in the Determination (see later);
- An eligible physiotherapist must provide all components of the MBS-rebateable service, as described in the relevant MBS item descriptors;
- There is no scope for another person who is not an eligible physiotherapist to provide a component of a physiotherapy service for which an MBS rebate would be payable; and
- The supervision of students is not a formal component of the MBS physiotherapy services, and such supervision cannot be counted toward the completion of an MBS-rebateable physiotherapy service.

These requirements apply to all MBS-rebateable services provided by eligible physiotherapists (Items 10960, 81335 and 82035).

Physiotherapists cannot bill patients using MBS items 10960, 81335 and 82035 (the three MBS items currently available for physiotherapy services) for supervising a student to treat eligible patients for the required period of time. A physiotherapy trainee therefore, cannot perform a physiotherapy service on behalf of the service provider.

Thus, a student may observe the service being undertaken (with the appropriate consent), but cannot assist or participate in the service provision. This includes assisting or participating after the 20 minute threshold for the item, where elements of the service as described in the MBS are still being provided.

Under the current regulatory framework applying to the Chronic Disease Management (CDM) allied health service items, there is no discretion to vary the requirement that all components of the service, as described in the relevant item descriptors, be provided by health professionals who have achieved the required standard of professional competence and who are appropriately registered.

The Determination

Under the provisions of the Health Insurance (Allied Health Services) Determination 2014 (the Determination), a physiotherapy service may only be billed if it is provided by an eligible physiotherapist and the services is provided individually and in person by the physiotherapist.

The Determination is available at: <https://www.legislation.gov.au/Details/F2013L02134>

For the purposes of the Determination (Schedule 1, Clause 14)

“A person is an allied health professional in relation to the provision of a physiotherapy health service if the person is registered as a person who may provide that kind of service under the applicable law in force in the State or Territory in which the service is provided”.

This excludes physiotherapy students who have not completed their training and who have not gained the appropriate professional registration in their State or Territory.

Supervision by a registered physiotherapist of a physiotherapy student would not fulfil the requirements of the Determination, and any service provided by a student would not be billable to Medicare. Likewise, a service only partly performed by a registered physiotherapist, with a component provided by a physiotherapy student, would not be billable.

Previous information from the Department of Health

On 13 July 2005, the Assistant Secretary (General Practice Programs Branch) of the (then) federal Department of Health and Ageing wrote to Professor Gordon Waddington at the University of Canberra concerning the ability of physiotherapists to bill patients for Medicare Benefits Schedule (MBS/Medicare) rebateable services where physiotherapy students observe, assist or participate in the treatment provided during such services. On review, this letter provided some unclear advice.

The 18 December 2017 communication from the Department’s Assistant Secretary confirmed that the 2005 and 2017 advice is consistent with a component of the previous advice – students may observe, but cannot assist or participate in the service.

Medical students

We have been asked if the same constraints apply to medical students.

Although provisions are made to familiarise medical students with clinical practice in a general practice setting, their status is observer-only and they are not permitted to participate in the treatment of patients.

A similar requirement to that for physiotherapists applies to the majority of Medicare-rebateable GP services, which must be provided in the course of a personal attendance by a single medical practitioner on a single patient on a single occasion [section 1.2.4, Health Insurance (General Medical Services Table) Regulation 2017]. The participation of another person in the services covered by section 1.2.4 is precluded.