

## **2010 CMS OPPTS Supervision Rule**

The 2010 OPPTS final rule went into effect on January 1, 2010. OPPTS is an acronym for Out Patient Physician Supervision. The new rule provides greater flexibility in physician supervision in the hospital and for on-campus outpatient departments. Previously, the physician had to be in the department, but the new rule states the physician must be present on the campus and “immediately available.” CMS specifies that being “immediately available” means the physician must be able to step in and take over the procedure, if needed.

Kimberly A. Hoy, attorney for HCPro, Inc, said this means “they have to be immediately able to drop what they are doing and step in and take over the procedure if necessary. They can’t be two blocks away.” An example given is if the physician is in the hospital cafeteria, he or she would be considered to be immediately available, but if the physician is in the middle of providing a procedure to a patient, he or she is unable to stop to provide direct supervision to another patient—so is not immediately available.

CMS made it very clear that the supervision rules for IDTFs did not change and still requires the physician to be present in the department.

Source: “CMS Changes Physician Supervision Rule, Maintains Drug Payment Formula” [www.healthleadersmedia.com](http://www.healthleadersmedia.com)  
Accessed 12/29/2009.