AMENDMENT TO VHA DIRECTIVE 1400.09 EDUCATION OF PHYSICIANS AND DENTISTS: CHANGES TO DOCUMENTATION STANDARDS BY MEDICAL STUDENTS

1. This Veterans Health Administration (VHA) notice serves to notify Department of Veterans Affairs (VA) Veterans Integrated Service Networks (VISNs) and VA medical facilities of the newly granted allowance for medical students to document services performed in the medical record with appropriate teaching physician verification and attestation. Previously medical student notes were insufficient for documentation and billing purposes. This VHA notice provides guidance for using medical student documentation and notification that Directive 1400.09, Education of Physicians and Dentists, September 9, 2016 is amended with guidelines for appropriate supervision and documentation.

2. Due to changes in Centers for Medicare and Medicaid Services (CMS) standards, VA medical facilities may implement the ability to use medical student documentation for history-taking, physical exam performance and medical decision-making, in addition to the previously-allowed review of systems, family, and social history. As of January 1, 2018, CMS issued the following statement: "Students may document services in the medical record. However, the teaching physician must verify in the medical record all student documentation or findings, including history, physical exam and/or medical decision-making. The teaching physician must personally perform (or re-perform) the physical exam and medical decision-making activities of the E/M service being billed, but may verify any student documentation of them in the medical record, rather than re-documenting this work."

3. Additional CMS language states: "Any contribution and participation of a student to the performance of a billable service (other than the review of systems and/or past family/social history which are not separately billable, but are taken as part of an E/M service) must be performed in the physical presence of a teaching physician or physical presence of a resident in a service meeting the requirements set forth in this section for teaching physician billing."

4. Medical students may now document services performed in the medical record except note types listed below. However, the responsible physician attending (teaching attending) must verify all student findings including history, physical exam and medical decision making in the medical record. **NOTE:** These changes are only for medical students and not other types of associated health or dental students. Dental student note requirements are different from medical students. History and physicals by dental students still must be re-performed and re-documented by the responsible dental supervising practitioner (unlike medical students).
5. The responsible physician attending must personally perform (or re-perform) the physical exam and medical decision-making activities of the E/M service being billed, but may verify any student documentation in the medical record, rather than re-documenting this work. The responsible physician attending must be identified as a co-signer (not an additional signer) for all medical student notes but must also provide an additional note or addendum as described below. Co-signature alone is insufficient for student documentation.

6. Physician residents are not permitted to serve as the responsible physician attending for medical student documentation in the medical record. Medical students are not permitted to write a note and change the author to the teaching physician or resident physician.

7. Medical students may not enter the following types of documentation into the health record: advanced directives, against medical advice (AMA) discharge documentation, treatment plans, informed consent, discharge summaries, reports or notes for procedures performed in a procedural suite, operative notes and reports, do not resuscitate notes, and seclusion and restraint notes.

8. Supervising physicians have the ultimate clinical and legal responsibility for the care provided to the patient and must be personally involved in supervising the medical student and delivering care. The documentation from the attending physician may be accomplished by one of two methods, an addendum or an additional free-standing note referencing the medical student documentation. The addendum or additional note authored by the responsible physician attending must include and address the required following items:

   a. **Presence.** A statement should be made about whether the attending was present during the student’s examination.

   b. **Performance.** The attending physician must document whether they performed or re-performed the history and physical examination documented in the student’s write up. Language similar to the following may be used:

      (1) "I was present for the medical student history taking and examination. I independently performed (or re-performed) the history, physical examination, and medical decision making."

      (2) "I hereby attest to the accuracy of the student's note as to history, physical examination, and medical decision making with any exceptions or corrections noted."

9. This VHA notice will be archived as of December 31, 2019. However, the amendment information will remain in effect.
DISTRIBUTION: Emailed to the VHA Publications Distribution List on December 26, 2018.