The information included in this paper is provided as general information only. This information should not be considered complete or dispositive guidance for legal or regulatory compliance. The specific application of laws and regulations to an organization requires a careful consideration of all the relevant facts and circumstances and may require assistance of competent legal counsel.

**Question:**
We are a Medicare certified agency using social work interns to make home visits. Is this allowed?

**Answer:**
A social work assistant is allowed to make home visits per state regulation in Title 22, 74713, Medical Social services (a) and (b) and per federal regulations, Medicare CoP 484.34. However, the question is, does your intern meet the qualifications of a social work assistant and are you supervising the social work assistant according to the federal requirements?

The Interpretive Guidelines that surveyors use to ensure that your agency is in compliance with this Condition of Participation (484.34) are the following guidelines: “Medical social services, when required by the plan of care, must be available on a visiting, not consultative, basis in a patient’s place of residence. Either the social worker or a social work assistant may make the initial visit to the HHA patient. Information gathered during the home visit is reviewed by the social worker who makes suggestions to the physician for additions to the plan of care. The social worker may provide the patient with approved professional services or assign the care to the assistant, providing supervision as required. (See §484.2.)

According to Medicare CoP, 484.2 Supervision, “Supervision means authoritative procedural guidance by a qualified person for the accomplishment of a function or activity. Unless otherwise specified in this part, the supervisor must be on the premises to supervise an individual who does not meet the qualifications specified in Section 484.4.” Section 484.4 is where the definitions of a social work assistant is located. Note 1: On the premises supervision is only required when the social work assistant does not meet the qualifications in the definition of a social work assistant. Therefore, this may be a consideration for your social work interns – if they don’t meet the home health regulation definition of a social work assistant. Note 2: The Board of Behavioral Sciences does not regulate bachelor level social workers, and therefore there are no regulations regarding this level of work. Therefore, the only requirement to be in compliance with is the home health regulation.

**For your information, the Surveyor Probes regarding §484.34 is:**
How does the HHA confirm that patients’ social service needs are adequately met, including those services provided under arrangement or contract?

**DEFINITIONS OF MEDICAL SOCIAL SERVICES, SOCIAL WORKER AND SOCIAL WORK ASSISTANT**

**Title 22, Section 74713 Medical Social Services**

**a** Medical social services shall be provided by a social worker or by a social work assistant under the supervision of a social worker and in accordance with a plan of treatment.

**b** The social worker or the social work assistant’s duties include:

1. Assisting the physician and other team members in understanding the significant social and emotional factors related to the health problems.
2. Participating in the development of the plan of treatment.
(3) Observing, recording and reporting information on the patient's condition to the attending physician and in the patient's health record.
(4) Advising, counseling and when appropriate instructing family in patient's social needs.
(5) Utilizing appropriate community resources.
(6) Participating in discharge planning.
(7) Participating in in-service education programs. Participation will be carried out by the social worker.

**Medicare CoPs, Section 484.34 Condition of Participation: Medical Social Services**
If the agency furnishes medical social services, those services are given by a qualified social worker or by a qualified social work assistant under the supervision of a qualified social worker, and in accordance with the plan of care. The social worker assists the physician and other team members in understanding the significant social and emotional factors related to the health problems, participates in the development of the plan of care, prepares clinical and progress notes, works with the family, uses appropriate community resources, participates in discharge planning and in-service programs, and acts as a consultant to other agency personnel.

**Title 22, Section 74653 Social Worker**
“Social worker” means a person who has a Master of Social Work degree from a school of social work accredited or approved by the Council on Social Work Education and having one year of social work experience in a health care setting.

**Medicare CoPs: 484.4 “Social Worker”**
A person who has a master’s degree from a school of social work accredited by the Council on Social Work Education, and has 1 year of social work experience in a health care setting.

**Title 22, Section 74655**
“Social work assistant” means a person with a baccalaureate degree in the social sciences or related fields.

**Medicare CoPs: 484.4 Social Work Assistant – A person who:**
1) Has a baccalaureate degree in social work, psychology, sociology, or other field related to social work, and has had at least 1 year of social work experience in a health care setting, or
2) Has 2 years of appropriate experience as a social work assistant, and has achieved a satisfactory grade on a proficiency examination conducted, approved, or sponsored by the U.S. Public Health Service, except that these determinations of proficiency do not apply with respect to persons initially licensed by a State or seeking initial qualification as a social work assistant after December 31, 1977