

The American Hippotherapy Association, Inc Misrepresentation of Therapy Services Policy

The American Hippotherapy Association, Inc. (AHA, Inc.) **policy regarding Misrepresentation of Therapy Services when equine movement is used as a treatment tool** was developed by the AHA, Inc Ethics, Advocacy and Reimbursement (EAR) Committee to specifically address two main areas of concern regarding practice misrepresentation; incorrect billing (using S8940 or allowing use of this code in your professional services) and misleading marketing materials. Misrepresentation in these areas affects all therapists who currently integrate equine movement (hippotherapy) into their plans of care by impacting insurance reimbursement, creating public and consumer confusion, and leading to a lack of consistency between AHA, Inc. members. Use of the S-code, or representing your OT, PT, or SLP practice as a “hippotherapy program or service” is also a violation of the AHA, Inc. Code of Ethics and Best Practice Statements. Accurate billing and marketing are professional standards that are also upheld by the national therapy organizations (AOTA, APTA and, ASHA) and state licensing boards.

Below are examples of pertinent AHA, Inc. Best Practice statements and Code of Ethics related to billing and marketing, as well as examples from the AOTA, APTA, and ASHA Code of Ethics.

- **AHA, Inc. Best Practice Statements:**
 - Statement 2.6 states - “All therapy professionals incorporating equine movement (hippotherapy) into their practice shall follow appropriate documentation and billing procedures in compliance with state and federal regulatory guidelines, as well as recommendations of appropriate national organizations.”
 - Statement 2.7 states -” All therapists incorporating equine movement (hippotherapy) into their practice shall use current AHA, Inc. approved terminology in professional documentation, research publications, personal communications, and educational and marketing materials to promote clarity of understanding in the use of the term equine movement (hippotherapy).”

- **AHA, Inc. Code of Ethics:**
 - I shall always provide professional therapy services within the scope of my professional practice act- following the national and state mandates of my professional therapy services.
 - I shall strive to uphold the highest standards of professional integrity in the provision of therapy services that incorporate hippotherapy as a treatment tool and avoid all conduct or practice that is likely to discredit my profession or deceive the public.

- **Professional Therapy Association's Code of Ethics (AOTA, APTA, , and ASHA)**
 - **AOTA** - Occupational therapy personnel maintain complete, accurate, and timely records of all client encounters.
 - 3A. Bill and collect fees justly and legally in a manner that is fair, reasonable, and commensurate with services delivered.
 - 3B. Ensure that documentation for reimbursement purposes is done in accordance with applicable laws, guidelines, and regulations.
 - 3D. Do not follow arbitrary directives that compromise the rights or well-being of others, including unrealistic productivity expectations, fabrication, falsification, plagiarism of documentation, or inaccurate coding.
 - **APTA** - Principle #7: Physical therapists shall promote organizational behaviors and business practices that benefit patients and clients and society.
 - 7E. Physical Therapists shall be aware of charges and shall ensure that documentation and coding for physical therapy services accurately reflect the nature and extent of the services provided.
 - **ASHA** - Principles of Ethics III
 - Principle of Ethics III D - Individuals shall not defraud through intent, ignorance, or negligence or engage in any scheme to defraud in connection with obtaining payment, reimbursement, or grants and contracts for services provided, research conducted, or products dispensed.
 - Principle of Ethics III E - Individuals' statements to the public shall adhere to prevailing professional norms and shall not contain misrepresentations when advertising, announcing, and promoting their professional services and products and when reporting research results.

Process for addressing concerns regarding Misrepresentation of Therapy Services:

As an educational organization, it will be the responsibility of the AHA, Inc. Ethics, Advocacy, and Reimbursement (EAR) Committee to follow the processes outlined below when addressing member concerns related to issues of incorrect billing or misleading marketing materials.

1. When a concern regarding the use of code S8940 for billing purposes (Medicaid waivers, Tri-Care ECHO, Managed Care Organizations) is brought to the attention of AHA, Inc. the EAR committee response shall be the following:
 - a. Provide the member who raised the concern with the appropriate educational materials (billing documents, third party PowerPoint, letters to third party, legislative template) to educate other therapists in their state of the danger of

continuing an inaccurate billing practice and help educate the “organization” such as a Managed Care Organization or Medicaid waiver program.

- b. Educate all parties of the implications of continued use of the S8940. Provide individuals who are billing incorrectly the appropriate educational materials (see above) to educate themselves and other therapists of the impropriety (risk of fraud) of continuing this billing practice.
 - c. For situations of state Medicaid waivers, act as mentors to those in the state that are billing within their scope of practice and again refer to educational materials already made.
 - d. Act as mentors to solve the problems at a state legislative level if the above steps are unsuccessful.
2. When a concern regarding misrepresentation of services by a therapist, who is a member of AHA, Inc, is brought to the attention of AHA, Inc. the organizational response shall be the following:
- a. The individual will be notified of these concerns via a personal phone call and email follow up by a committee member (see template letter).
 - b. The individual will be provided with educational materials to guide corrective action.
 - c. If needed, mentorship will be provided by a member of the appropriate committee.
 - d. The reporting individual will be encouraged by AHA, Inc. to also file with the appropriate state licensing agency.
3. When a concern regarding misrepresentation of services by a therapist, who is not a member of AHA, Inc, is brought to the attention of AHA, Inc. the organizational response shall be the following:
- a. The individual will be notified of these concerns via a personal phone call and email follow up by a committee member (see template letter).
 - b. The individual will be provided with educational materials to guide corrective action.