care as specified under §424.24(e) of this chapter; and
(4) Include any of the following:
   (i) Individual and group therapy with
       physicians or psychologists or other
       mental health professionals to the ex-
       tent authorized under State law.
   (ii) Occupational therapy requiring
       the skills of a qualified occupational
       therapist, provided by an occupational
       therapist, or under appropriate super-
       vision of a qualified occupational ther-
       apist by an occupational therapy as-
       assistant as specified in part 484 of this
       chapter.
   (iii) Services of social workers,
       trained psychiatric nurses, and other
       staff trained to work with psychiatric
       patients.
   (iv) Drugs and biologicals furnished
       for therapeutic purposes, subject to the
       limitations specified in §410.29.
   (v) Individualized activity therapies
       that are not primarily recreational or
       diversionary.
   (vi) Family counseling, the primary
       purpose of which is treatment of the
       individual's condition.
   (vii) Patient training and education,
       to the extent the training and edu-
       cational activities are closely and
       clearly related to the individual's care
       and treatment.
   (viii) Diagnostic services.
(b) The following services are sepa-
    rately covered and not paid as partial
    hospitalization services:
    (1) Physician services that meet the
        requirements of §415.102(a) of this chap-
        ter for payment on a fee schedule basis.
    (2) Physician assistant services, as
        defined in section 1861(s)(2)(K)(i) of the
        Act.
    (3) Nurse practitioner and clinical
        nurse specialist services, as defined in
        section 1861(s)(2)(K)(ii) of the Act.
    (4) Qualified psychologist services, as
        defined in section 1861(l)(i) of the Act.
    (5) Services furnished to SNF resi-
        dents as defined in §411.15(p) of this
        chapter.
(c) Partial hospitalization programs
    are intended for patients who—
    (1) Require a minimum of 20 hours
        per week of therapeutic services as evi-
        denced in their plan of care;
    (2) Are likely to benefit from a co-
        ordinat program of services and re-
        quire more than isolated sessions of
        outpatient treatment;
    (3) Do not require 24-hour care;
    (4) Have an adequate support system
        while not actively engaged in the pro-
        gram;
    (5) Have a mental health diagnosis;
    (6) Are not judged to be dangerous to
        self or others; and
    (7) Have the cognitive and emotional
        ability to participate in the active
        treatment process and can tolerate the
        intensity of the partial hospitalization
        program.

§410.45 Rural health clinic services:
Scope and conditions.
(a) Medicare Part B pays for the fol-
    lowing rural health clinic services, if
    they are furnished in accordance with
    the requirements and conditions speci-
    fied in part 405, subpart X, and part 491
    of this chapter:
    (1) Physicians’ services.
    (2) Services and supplies furnished as
        an incident to physicians’ professional
        services.
    (3) Nurse practitioner and physician
        assistant services.
    (4) Services and supplies furnished as
        an incident to nurse practitioners’ or
        physician assistants’ services.
    (5) Visiting nurse services.
(b) Medicare pays for rural health
    clinic services when they are furnished
    at the clinic, at a hospital or other
    medical facility, or at the beneficiary’s
    place of residence.

§410.46 Physician and other practi-
    tioner services furnished in or at
    the direction of an IHS or Indian
    tribal hospital or clinic: Scope and
    conditions.
(a) Medicare Part B pays, in accord-
    ance with the physician fee schedule,
    for services furnished in or at the di-
    rection of a hospital or outpatient clin-
    ic (provider-based or free-standing) that
    is operated by the Indian Health
    Service (IHS) or by an Indian tribe or
    tribal organization (as those terms are
    defined in section 4 of the Indian
    Health Care Improvement Act). These
    services are subject to the same situa-
    tions, terms, and conditions that would