Physician Signature Requirements

Important Information About Signature Requirements for Every Service Provided or Ordered.

UCSF Clinical Enterprise Compliance Program
2012
The Centers for Medicare & Medicaid Services (CMS) issued Change Request 6698 to clarify how Medicare claims review contractors assess claims and medical documentation submitted by providers.

The effective date was March 1, 2010 with an implementation date of April 16, 2010.
The purpose of a rendering/treating/ordering practitioner’s signature in patients’ medical records

- operative reports
- orders
- test findings, etc.

is to demonstrate that services submitted to Medicare for payment have been accurately and fully documented, reviewed and authenticated.
Furthermore, it confirms that the provider has certified the medical necessity and reasonableness for the service(s) submitted to the Medicare program for payment consideration.
For medical review purposes, Medicare requires that services provided/ordered be authenticated by the author.

- *The method used shall be a handwritten or an electronic signature.*
- *The signature must be personally applied, not signed by someone for the ordering provider.*
- *Stamp signatures are not acceptable.*
Acceptable Written Signatures:

- Legible first initial and last name
- Illegible signature over a typed or printed name
- Initials over a typed or printed name
If the signature is illegible, ACs, MACs, PSCs, ZPICs and CERT shall consider evidence in a *signature log* or *attestation statement* to determine the identity of the author of a medical record entry.
ACRONYMS

AC – Affiliated Contractors
CERT – Comprehensive Error Rate Testing
MAC – Medicare Administrative Contractors
PSC – Program Safeguard Contractor
ZPIC – Zone Program Integrity Contractor
Acceptable Electronic Signature Examples:

• 'Electronically signed by John Smith, M.D'

• 'Authenticated by John Smith, M.D'

• 'Authorized by: John Smith, M.D'
Acceptable: Digital Signatures

Digital signatures are an electronic method of a written signature that is typically generated by special encrypted software that allows for sole usage.
EXCEPTIONS to the Physician Signature Requirement:

- Facsimiles are acceptable for the certification of terminal illness for hospice.

- *Some* orders do not need to be signed.
  
  - Per Medicare requirements, orders for clinical diagnostic tests are not required to be signed.
A General Word about: Orders

- An “order” is a communication from the treating physician/practitioner requesting that a diagnostic test be performed for a beneficiary. The order may conditionally request an additional diagnostic test for a particular beneficiary if the result of the initial diagnostic test ordered yields to a certain value determined by the treating physician/practitioner (e.g., if test X is negative, then perform test Y). An order may be delivered via the following forms of communication:

- A written document signed by the treating physician/practitioner, which is hand-delivered, mailed, or faxed to the testing facility;
Orders - Continued

• NOTE: No signature is required on orders for clinical diagnostic tests paid on the basis of the clinical laboratory fee schedule, the physician fee schedule, or for physician pathology services;
  – A telephone call by the treating physician/practitioner or his/her office to the testing facility; and
  – An electronic mail by the treating physician/practitioner or his/her office to the testing facility.
Orders - Continued

- If the order is communicated via telephone, both the treating physician/practitioner or his/her office, and the testing facility must document the telephone call in their respective copies of the beneficiary’s medical records. While a physician order is not required to be signed, the physician must clearly document, in the medical record, his or her intent that the test be performed.
If the ordering provider’s signature is missing from an order that requires one: ACs, MACs, PSCs, ZPICs and CERT shall disregard the order during the review of the claim.

This means that the reviewer will make the claims review determination using only the other submitted documentation.
If the signature is missing from any other medical documentation, ACs, MACs, PSCs, ZPICs and CERT shall accept a signature attestation from the author of the medical record entry.

NOTE: Only the author of the medical record in question may create the attestation statement.
Signature Attestation Statement Example

“I, [full name of physician/practitioner], hereby attest that the medical record entry for [date of service] accurately reflects signatures/notations that I made in my capacity as [provider credentials, e.g., M.D.] when I treated/diagnosed the above listed Medicare beneficiary. I do hereby attest that this information is true, accurate and complete to the best of my knowledge and I understand that any falsification, omission, or concealment of material fact may subject me to administrative, civil, or criminal liability.”
If AC, MAC or CERT reviewers identify a pattern of missing/ illegible signatures it shall be referred to the appropriate PSC/ZPIC for further development.
RESOURCES

• CMS CR 6698 Signature Guidelines for Medical Review Purposes – March 2010

• Palmetto GBA – Jurisdiction 1 – Part A – Medicare Medical Records Signature Requirements Acceptable and Unacceptable Practices –
  – Samples:

• CMS Regs and Guidance – 3.3.2.4 – Signature Requirements
Questions?
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