

OASIS Alert

Reader Question :IF SIGNATURE REQUIREMENTS CONFLICT, LOOK TO FEDERAL LAW

When you get the right signature, be sure it's also in the approved format.

Question: Can you tell me if a Certified Nurse Practitioner, Physician's Assistant or Clinical Nurse Specialist can sign orders and the 485/plan of care?

Answer: None of these people can sign orders or a plan of care under the federal Conditions of Participation unless they are co-signed by the licensed physician, says clinical consultant **Judy Adams** with Chapel Hill, N.C.-based **Adams Home Care Consulting**. This is true even if your state licensure act recognizes the legality of Nurse Practitioners and Physician Assistants to sign orders, she says.

The regulations for signing orders for beneficiaries under a home health plan of care are in 42 CFR 424.22 (Requirements for home health services). These state that only an MD, DO, or DPM may sign the plan of care.

Caution: Be sure your staff know that stamped physician signatures are not allowed.

Physician's signatures must be either hand-written or an electronic signature to comply with Medicare requirements.

Note: Information about requirement for hand-written or electronic signatures is in Change Request 5971, published March 28, 2008 and available at www.cms.hhs.gov/Transmittals/Downloads/R248PI.pdf. For 42 CFR 242.22 go to www.gpoaccess.gov/cfr/retrieve.html.