

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO	DATE
Jacobs	1-30-08

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER 000399	<input checked="" type="checkbox"/> Prepare reply for the Director's signature DATE DUE 2-6-08
2. DATE SIGNED BY DIRECTOR cc: Singleton, Quintan, Davis, Wells, Mr Fortner cleared 2/6/08, letter attached.	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input type="checkbox"/> FOIA DATE DUE _____ <input type="checkbox"/> Necessary Action

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Majors</i>	DATE <i>1-30-08</i>
---------------------	------------------------

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <i>000399</i>	<input checked="" type="checkbox"/> Prepare reply for the Director's signature DATE DUE <i>2-6-08</i>
2. DATE SIGNED BY DIRECTOR <i>cc: Singleton, Quinton, Davis, Wells, McFarlane</i>	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____
	<input type="checkbox"/> FOIA DATE DUE _____
	<input type="checkbox"/> Necessary Action

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			



RECEIVED

JAN 30 2008

Department of Health & Human Services
OFFICE OF THE DIRECTOR

State of South Carolina
Office of The Lieutenant Governor

André Bauer
Lieutenant Governor

Office on Aging
Curtis M. Loftis, Jr.
Director

January 25, 2008

Emma Forkner, Director
DHHS
P.O. Box 8206
Columbia, SC 29202

Dear Ms. Forkner,

For the past five years, staff from DHHS and the Office on Aging have been working together to streamline access to long term care services in South Carolina through several grants from the Administration on Aging and the Centers for Medicaid and Medicare Services. One of the streamlining activities was to develop eforms for the 1296 (Medicaid Long Term Care) and GAPS. These are user-friendly forms that the consumer fills out on-line and then submits electronically to the state office. The one drawback has been that the consumer still has to print out, sign and mail the signature page. According to a report given to me in October compiled by Donna Day who processes the 1296, they have received 104 electronic applications and only 10 signature pages. We have made several efforts to revise the webpage to make it clearer that a signature page needs to be submitted but are still not receiving them.

One solution seems to be to allow electronic signatures. South Carolina allows for electronic signatures and has standards in place (<http://www.cio.sc.gov/SCEA/scr/scr-UETA-SC-Standards-for-Electronic-Signatures.pdf>). It also appears that CMS allows for electronic signatures:

What are the CMS requirements related to electronic signatures for online Medicaid applications?

A: While CMS does not have a documented/official position on this issue (that is, confirmation via a State Medicaid Director's letter or regulation), there have been verbal presentations by CMS staff on this issue. For on-line applications, the basic requirements are:

1. Signature must be permitted by State law;
2. The State must ensure identity verification; and
3. The electronic signature must be carried out under penalty of perjury.

Also note that No signature is required for redeterminations (that is, renewals).

A digitized signature, digital signature, as well as a PIN and confirmation system combination are valid electronic signature applications. (Please note that PIN technology alone would not satisfy the signature requirement, since it cannot ensure identity verification).

Dina Elani, CMS, December 12, 2005.
1304 Spruill Street, Suite 200, Columbia, South Carolina 29201

*Log. Myers
CC: Singletary,
Quinton, Davis,
Wells
Dir. Sign.*

Also, on 9/15/04, CMS issued a position statement regarding the use of electronic records and electronic signatures (S&C-04-46).

CMS permits the use of electronic records or electronic signatures, including but not limited to the MDS, when:

1. State law permits the use of electronic records or electronic signatures;
2. The facility has policies and procedures authorizing and outlining the use of electronic records or electronic signatures; and,
3. The facility has policies in place to implement proper security measures to protect from unauthorized or impermissible creation or alteration of records or signatures, and to ensure that access to clinical records is made available to surveyors and others authorized by law.

Several states are using electronic signatures on Medicaid applications:

Washington

Meg Evans

ADRC Program Manager

Aging & Disability Services Administration

P.O. Box 45600

Olympia, WA 98504-5600

Phone: 360-725-2557

EvansME@dshs.wa.gov or

Rosemary Dunn at (410) 786-1372

Rdunn@cms.hhs.gov

Pennsylvania

Elaine Smith

Governor's Office of Health Care Reform

4th Floor Forum Building

Harrisburg, PA 17120

Phone 717-346-9713

elasmith@state.pa.us

Ann S. Torregrossa, Esq.

Senior Policy Manager

Office of Health Care Reform

333 Forum Place

Harrisburg, PA 17120

Phone 717-772-9065

atorregros@state.pa.us

Florida

Sandi Smith

Florida Department of Elder Affairs

4040 Esplanade Way

Tallahassee, FL 32399-7000

Phone 850-414-2139

Smithsl@elderaffairs.org

I would like to request that we work together to explore the option of allowing electronic signatures on the eforms as I believe it would make a difference to the individuals needing LTC services in South Carolina. Please let me know if there is anything I can do to further this process and thank you for your consideration of this matter.


Curtis Loftis, Director
Lt. Governor's Office on Aging

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <u>Jacobs</u>	DATE <u>1-30-08</u>
---------------------	------------------------

DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER <u>000399</u>	<input checked="" type="checkbox"/> Prepare reply for the Director's signature DATE DUE <u>2-6-08</u>		
2. DATE SIGNED BY DIRECTOR <u>cc: Singleton, Quintan, Davis, Wells</u>	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input type="checkbox"/> FOIA DATE DUE _____ <input type="checkbox"/> Necessary Action		

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1. <u>[Signature]</u>	<u>2/1/08</u>		
2.			
3.			
4.			



RECEIVED

JAN 30 2008

Department of Health & Human Services
OFFICE OF THE DIRECTOR

State of South Carolina
Office of the Lieutenant Governor

André Bauer
Lieutenant Governor

Office on Aging
Curtis M. Loftis, Jr.
Director

January 25, 2008

Emma Forkner, Director
DHHS
P.O. Box 8206
Columbia, SC 29202

Log. Myers
cc: Singletary,
Quinton, Davis,
Wells
Dir. Sign

Dear Ms. Forkner,

For the past five years, staff from DHHS and the Office on Aging have been working together to streamline access to long term care services in South Carolina through several grants from the Administration on Aging and the Centers for Medicaid and Medicare Services. One of the streamlining activities was to develop eforms for the 1296 (Medicaid Long Term Care) and GAPS. These are user-friendly forms that the consumer fills out on-line and then submits electronically to the state office. The one drawback has been that the consumer still has to print out, sign and mail the signature page. According to a report given to me in October compiled by Donna Day who processes the 1296, they have received 104 electronic applications and only 10 signature pages. We have made several efforts to revise the webpage to make it clearer that a signature page needs to be submitted but are still not receiving them.

One solution seems to be to allow electronic signatures. South Carolina allows for electronic signatures and has standards in place (<http://www.cio.sc.gov/SCEA/scr/scr-UETA-SC-Standards-for-Electronic-Signatures.pdf>). It also appears that CMS allows for electronic signatures:

What are the CMS requirements related to electronic signatures for online Medicaid applications?

A: While CMS does not have a documented/official position on this issue (that is, confirmation via a State Medicaid Director's letter or regulation), there have been verbal presentations by CMS staff on this issue. For on-line applications, the basic requirements are:

1. Signature must be permitted by State law;
2. The State must ensure identity verification; and
3. The electronic signature must be carried out under penalty of perjury.

Also note that No signature is required for redeterminations (that is, renewals).

A digitized signature, digital signature, as well as a PIN and confirmation system combination are valid electronic signature applications. (Please note that PIN technology alone would not satisfy the signature requirement, since it cannot ensure identity verification).

Also, on 9/15/04, CMS issued a position statement regarding the use of electronic records and electronic signatures (S&C-04-46).

CMS permits the use of electronic records or electronic signatures, including but not limited to the MDS, when:

1. State law permits the use of electronic records or electronic signatures;
2. The facility has policies and procedures authorizing and outlining the use of electronic records or electronic signatures; and,
3. The facility has policies in place to implement proper security measures to protect from unauthorized or impermissible creation or alteration of records or signatures, and to ensure that access to clinical records is made available to surveyors and others authorized by law.

Several states are using electronic signatures on Medicaid applications:

Washington

Meg Evans

ADRC Program Manager
Aging & Disability Services Administration
P.O. Box 45600
Olympia, WA 98504-5600
Phone: 360-725-2557
EvansME@dshs.wa.gov or
Rosemary Dunn at (410) 786-1372
Rdunn@cms.hhs.gov

Florida

Sandi Smith

Florida Department of Elder Affairs
4040 Esplanade Way
Tallahassee, FL 32399-7000
Phone 850-414-2139
Smiths1@elderaffairs.org

Pennsylvania

Elaine Smith

Governor's Office of Health Care Reform
4th Floor Forum Building
Harrisburg, PA 17120
Phone 717-346-9713
elasmith@state.pa.us

Ann S. Torregrossa, Esq.

Senior Policy Manager
Office of Health Care Reform
333 Forum Place
Harrisburg, PA 17120
Phone 717-772-9065
atorregros@state.pa.us

I would like to request that we work together to explore the option of allowing electronic signatures on the eforms as I believe it would make a difference to the individuals needing LTC services in South Carolina. Please let me know if there is anything I can do to further this process and thank you for your consideration of this matter.


Curtis Loftis, Director
Lt. Governor's Office on Aging



Log # 399 ✓

State of South Carolina
Department of Health and Human Services

Mark Sanford
Governor

February 6, 2008

Emma Forkner
Director

Mr. Curtis Loftis, Director
Lt. Governor's Office on Aging
1301 Gervais Street, Suite 200
Columbia, South Carolina

Dear Mr. Loftis: *Curtis*

Thank you for your letter regarding electronic signatures for online Medicaid applications. We are currently in the process of researching the options for allowing the electronic signatures. We will contact you once we have some developments.

If I can be of further assistance, please feel free to contact me.

Sincerely,

Emma
Emma Forkner,
Director

EF/jg