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**Electronic Signatures on Consent and Election of Benefits Forms**

<b>Federal Regulations:</b>	<b>Effective Date: March 29, 2019</b>
<b>State Regulations:</b>	<b>Revision Date(s): February 27, 2023</b>

**PURPOSE:** Establish the requirements to utilize electronic systems and processes to obtain electronic signatures on Consent and Election of Benefits forms.

**POLICY:** Subject to the limitations outlined in this Policy, hospice Consent forms and Election of Benefit forms which must be executed by the patient or the patient's legal representative may be effectively signed through an Electronic Signature obtained using an Approved Electronic Signature Method.

Consents and EOB forms that have been signed electronically must meet the same requirements as paper documentation including, but not limited to, (1) meeting all applicable record retention requirements; (2) being protected to ensure the confidentiality and integrity of the records; (3) being accessible by an auditor or monitor; (4) capturing and recording the date that the patient provides consent; and (5) a copy being provided to the patient.

**Definitions**

**Approved Electronic Signature Method:** an electronic signature method that has been found to be in compliance with this Policy and all applicable laws and regulations and appropriate for the circumstances in which the Electronic Signature is obtained.

**Electronic Signature:** an electronic symbol or process, attached to or logically associated with an electronic record and used by a person with the intent to sign such record.

**PROCEDURE:**

- 1) Should Hospice be unable to obtain handwritten signatures from a patient or patient's legal representative and patient's legal representative has indicated they will electronically sign the Consent and EOB forms, hospice will utilize the Approved Electronic Signature Method to obtain Electronic Signatures.
- 2) As of the date of this Policy, Hospice will utilize DocuSign, or similar e-signature software, as the provider of e-signature services to Hospice. VP of Hospice Operations in conjunction with VP of IT may choose to utilize another e-signature service vendor at any time.
- 3) Hospice will obtain and verify the email address of the patient's legal representative requesting to utilize the Approved Electronic Signature Method.
- 4) Consent and Election of Benefit forms will be encrypted prior to being provided to the patient's legal representative for Electronic Signature.
- 5) An email will be sent to the patient's legal representative providing the password to encrypted forms.

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- 6) If an explanation of the Consent and Election of Benefit was not provided prior to sending the forms, a Hospice employee will contact the patient's legal representative by phone to provide a complete explanation.
- 7) When Hospice receives the Consent and Election of Benefit back, a Hospice employee will validate that all areas have been completed and/or signed and that the Electronic Signature matches the name of the legal representative.
- 8) DocuSign, or similar e-signature software, automatically provides a signed copy of the forms to the patient's legal representative and a Hospice employee files a copy in the patient's clinical record.
- 9) When an employee with access to DocuSign, or similar e-signature software, separates from the company, employee's supervisor will promptly request IT to terminate employee's access.