

CMS Bans the Use of Signature Stamps on All Medical Records

On July 29, 2008, The Centers for Medicare and Medicaid Services (CMS) published a MLN Matters article (SE0829) which explains that Medicare providers and suppliers may not use stamped signatures on any medical records. The MLN Matters article was issued to clarify earlier changes to CMS' signature policy and to reiterate that CMS intended to ban all stamped signatures through those earlier changes. The signature stamp ban was implemented on April 28, 2008; however, CMS has given claims processing contractors some leeway in implementing the ban. CMS therefore encourages providers to check with their Medicare claims processing contractors to determine when those contractors will stop accepting documentation containing stamped signatures.

CMS addressed the issue of stamped signatures earlier this year when it amended Chapter 3, Section 3.4.1.1 of the Medicare Program Integrity Manual. The changes to the Manual were issued on March 28, 2008 (Transmittal 248) and stated:

"Medicare requires a legible identifier for services provided/

ordered. The method used shall be hand written or an electronic signature (stamp signatures are not acceptable) to sign an order or other medical record documentation for medical review purposes."

Many providers speculated that these Manual changes were made in response to CMS' concerns regarding certifications for hospice services. Accordingly, many providers felt that these changes would not be enforced outside of the hospice certification context.

In the MLN Matters article, CMS clarified that the Manual changes were intended to apply to all Medicare claims, not just hospice certifications. The article states:

[Transmittal 248] was issued to prohibit the use of stamped signatures. These requirements are intended to apply [to] all providers/suppliers. Stamped signatures are not acceptable on any medical record. Medicare will accept hand written, electronic signatures or facsimiles of original or electronic signatures.



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In light of this policy clarification, providers and suppliers should immediately amend their signature requirements to ensure that all medical records contain hand written or electronic signatures, or facsimile signatures. Providers and suppliers should also immediately educate all patient care personnel regarding the stamped signature ban.

For more information about CMS' ban on stamped signatures, please contact Mary C. Malone or Rachel J. Suddarth at (804) 967-9604, or by email mmalone@hdjn.com or rsuddarth@hdjn.com. Additional information about Hancock, Daniel, Johnson & Nagle, P.C. is available on the firm's website at www.hdjn.com.

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