



COVID-19 FAQ

2a. Has CMS waived the signature requirements for COVID-19 patients, or do the current Medicare patient signature rules remain in effect?

Date Added: 03/24/20

Revised Date: 04/07/20

Answer:

The Medicare patient signature rules remain unchanged at the present time. CMS representatives confirmed to PWW on April 6, 2020 that they are aware of guidance from the CDC (see more detail in question 2b), but CMS has made no changes to the signature requirements as defined in 42 CFR 424.36.

Until CMS issues a formal patient signature waiver, click on the links below to see the PWW guidance on dealing with patient signatures during the pandemic [for billing personnel](#) and for [ambulance crews](#).

2b. Is suspected or known COVID-19 a valid reason that a patient is physically or mentally incapable of signing?

If it is a finding supported by the documented patient assessment and care provided, and not simply an unsupported conclusion, we believe so, yes. We note that the CDC Interim Guidance for EMS Systems (<https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-for-ems.html>) states that “documentation of patient care should be done **after** EMS clinicians have completed transport, removed their PPE, and performed hand hygiene.” (Emphasis added.) We believe that EMS personnel transporting a known or suspected COVID-19 patient should document 1) the patient’s COVID-19 status, symptoms and any barriers/precautions in place, and 2) that “obtaining a patient signature was physically impossible at the time of service due to following CDC guidance regarding completing the documentation after removal of PPE and performance of hand hygiene.” EMS personnel should then comply with the Medicare signature requirements, at the time of service, as in any other situation where the patient is mentally or physically incapable of signing.