

Medi-Cal Program Guide Letter #709

September 14, 2010

Subject	ARTICLE A—SIGNING THE CMS GRANT OF LIEN FORM WHEN PHYSICAL LIMITATIONS ARE PRESENT
Effective Date	Upon Receipt
Reference	County Policy
Purpose	The purpose of this letter is to clarify information regarding the signature requirements on the Grant of Lien form when the applicant/beneficiary has physical limitations.
Background	Presently, if an applicant/beneficiary is unable to sign his/her own signature on the lien form because of physical condition, then his/her spouse or person with his/her power of attorney may sign for him/her. If there is no spouse or person with power of attorney available to sign the lien form, the CMS case is denied.
Changes	<p>When an applicant is incompetent (see <u>MPG 4.2.05</u> Determining Competency) he/she may not sign his own signature on the lien form. When this occurs then his/her spouse or person with his/her power of attorney may sign for him/her. If there is no spouse or person with power of attorney available to sign the lien form, the CMS case is denied.</p> <p>When an applicant/beneficiary is unable to sign the Grant of Lien form because of a physical limitation, and the applicant/beneficiary is competent, the applicant/beneficiary may sign the Grant of Lien form with a mark of any kind. The mark shall be considered their full signature. The mark must be witnessed in accordance with CMS lien requirements.</p>
Automation Impact	None

Forms

None

Quality Assurance

Effective with the October 2010 review month, QA will cite with appropriate error any case that does not comply with the requirements outlined in this letter.

Access Impact

None

Summary of Changes

The table below shows the changes make to the Medi-Cal Program Guide (MPG)

Article/Section	Changes
<u>Article A Section 5.5F</u>	Add lien signing instructions for physical limitations.

Manager Approval 

 for J. Bowman

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