



<b>Policy Memo</b>	
<b>KDHE-DHCF POLICY NO: 2020-09-01</b>	<b>From: Erin Kelley, Senior Manager</b>
<b>Date: 2020-09-29</b>	<b>KEESM Reference: 1411 and subsections KFMAM Reference: 1400 and subsections</b>
<b>RE: Application Received Dates and Acceptable Signatures</b>	<b>Program(s): All Medical Programs</b>

The purpose of this memo is to provide guidance concerning the date of application attributed to an application for assistance received by the agency as well as to notify eligibility staff concerning the validity and acceptability of application signatures. These changes are effective with the issuance of this memo. These policy changes will be included in the Medical KEESM and KFMAM at the next scheduled update for those manuals.

Applicable to all Medical Programs:

- Application Date
- Acceptable Signatures

This memo supersedes PM2009-06-02 where applicable.

## **I.BACKGROUND**

Applications for medical assistance are received through a number of sources, including mail, fax, the Self-Service Portal (SSP), and the Federally Facilitated Marketplace (FFM). Previously, there were differing rules for determining the application date of an application based on the application source. The purpose of this memo is to reconcile previously conflicting information and create clearer, more consistent rules for determining the date of application.

## **II. APPLICATION DATE**

The date the agency receives a validly signed application is the date for establishing eligibility and for processing purposes. The date provided by the applicant or authorized representative on the application does not determine the application date. See Medical KEESM 1411.5 and KFMAM 1409.

## **A. PAPER APPLICATION**

The date a paper application is received by the agency is the application date. All signed paper applications shall be date-stamped with the date physically received at the KanCare Clearinghouse, an Outstation Worker site, or other location designated by the agency.

### **1. MAIL, DROP BOXES, AND MAIL SLOTS**

A paper application received through the mail or physically delivered to agency personnel on agency premises shall be considered received that date. If the application is received through a drop box, mail slot, or other such manner at the opening of the business day, the application shall be considered received that day, even if the application was deposited prior to that date.

### **2. EMAIL AND FAX**

An application received via email or fax is deemed an original application and is considered received on the date on the time stamp if received by 5:00pm on a business day. If received after 5:00pm on a business day or on the weekend or holiday, the application date is the next following business day. This direction provides consistent policy for all medical programs that was previously inconsistent between the two (2) policy manuals and is effective immediately.

### **3. WRONG APPLICATION FORM**

There may be instances where the individual completes an application form that is not appropriate for the medical assistance requested. When that occurs, the application date is still the day the form is received by the agency. Additional information may be requested from the applicant to determine eligibility, but completion of the appropriate application form to establish the date of application is not required.

### **4. ONLINE APPLICATIONS**

The date an electronically signed application is received by the agency is considered the application date if received by 5:00pm on a business day. If received after 5:00pm on a business day or on the weekend or a holiday, the application date is the next following business day.

## **B. OTHER ELECTRONIC APPLICATIONS**

There are actually two (2) application dates for MIPPA and FFM applications. One for processing purposes and one for eligibility purposes.

## **1. MIPPA APPLICATIONS**

The date the electronic file is received by the agency from Social Security is the application date for processing purposes. The date the Low-Income Subsidy (LIS) application was filed with Social Security is the application date for MSP coverage and is the start date for eligibility purposes. See PM2010-10-01 and PD2018-09-02.

## **2. FFM APPLICATIONS**

The date the electronic data file is received by the agency from the federally facilitated marketplace exchange is the application date for processing purposes. The date the original health insurance exchange subsidy application was filed with the Federally Facilitated Marketplace (FFM) is the application date for medical assistance and is the start date for eligibility purposes. See [PM2017-04-01](#) section B.3.

## **C. TELEPHONIC APPLICATIONS**

The application date is the date the applicant answers all the questions and telephonically signs the application by verbally certifying, under penalty of perjury, that they understand the questions and statements read to them and that his/her answers are correct and complete to the best of their knowledge.

## **D. UNSIGNED APPLICATIONS**

An unsigned application received by the agency is not considered an application for processing purposes. All unsigned applications shall be promptly returned to the applicant for signature. The entire application shall be returned to allow the applicant to review his/her answers prior to certifying, under penalty of perjury, that all answers are correct and complete to the best of their knowledge.

If the originally unsigned application is returned with a valid signature, the application date depends on how the form was received by the agency. See sections II.A.1. and II.A.2. above.

## **E. INVALID SIGNATURE**

As long as the application is received with a signature, the application is considered valid for processing purposes. However, in some instances, the signature may be invalid. An invalid signature is one in which the person who signed the application has no authority to

act on behalf of the applicant. [See Medical KEESM 2110 and subsections and KFMAM 2010 and subsections].

An application with an invalid signature shall be promptly returned to the applicant with instructions to either verify the authority of the person who signed the application or to sign the application in their own name, if legally competent to do so. If the verification of authority to sign or if the application with a proper signature is timely received by the agency per Medical KEESM 1321 (3) and KFMAM 1320.04, the application date shall be the following:

### **1. VERIFICATION OF AUTHORITY**

If verification of authority to act on behalf of the applicant is timely received, the application date is the date the application was originally received by the agency.

Note: If the original application indicates that the person signing has the authority to act on behalf of the applicant (i.e.: Financial Durable power of Attorney (DPOA), General DPOA where the individual has control over finances, or is a guardian or conservator) but no verification was provided at the time of application, the process contained in this memo does not apply. In that instance, the signature is initially considered valid and the agency shall send a request for information to provide verification of the authority.

### **2. MEDICAL REPRESENTATIVE DESIGNATED**

If the applicant responds by formally designating the person who signed the application as his/her medical representative according to Medical KEESM 2111 (2)(b) and KFMAM 2010.02, the application date depends on how the authorization was received by the agency. See sections II.A.1 and II.A.2 above.

### **3. APPLICANT SIGNS**

If the applicant (or someone who is verified to act on behalf of the applicant) signs the application, the application date depends on how the form was received by the agency. See sections II.A.1 and II.A.2 above.

In all instances, if verification of authority to sign or if the application with the applicant's own signature (or that of someone who can act on his/her behalf) is not timely returned, the application shall be denied due to an invalid signature based on the date the application was originally received.

### III. APPLICATION SIGNATURE REQUIREMENTS

To be considered valid, an application for medical assistance must be signed. The signature must be both valid and acceptable. A valid signature is described in Medical KEESM 1411.2(6) and KFMAM 1403.6. The following provides guidance on what constitutes an *acceptable* signature.

The use of the prudent person concept described in Medical KEESM 1310 and KFMAM 1300 shall be liberally applied with this policy. As long as the signature on the application provides enough evidence to reasonably identify the signer as the applicant, the signature shall in most instances be considered acceptable under this policy.

#### A. PAPER APPLICATIONS

Any mark or sign made by the person signing the application *with the intent to represent the identity of that person* is acceptable. This includes handwritten (wet), typed (mechanical), stamped, and scanned signatures. If the person is marking the application with an “X” or other similar symbol because they are either illiterate or unable to sign their name due to disability, the signature of the two (2) witnesses to validate the identity of the person making the mark is required.

Examples of acceptable paper application signatures include, but are not limited to:

- A handwritten wet signature that is shaky, scratchy, or illegible;
- An indecipherable symbol;
- A typewritten signature;
- A hand stamped signature;
- A photocopied or faxed signature.

#### B. ONLINE APPLICATIONS

The applicant or authorized representative should type his/her full name on the online application. However, when less than the applicant’s or authorized representative’s name appears on the application, prudent person should be applied to determine if the signature is acceptable. If the signature submitted provides enough evidence to reasonably identify the signer as the applicant or authorized representative, the signature is acceptable. If the identity of the signer cannot be discerned in this manner, the signature is not acceptable.

Examples of acceptable online application signatures for fictional applicant whose full name is William William Williams include, but are not limited to:

- William Williams
- Willie Williams

- Will Williams
- Bill Williams
- William Willie Williams
- W. W. Williams
- W. Williams
- William W.
- WWilliams2020

### **C. TELEPHONIC APPLICATIONS**

A person completing a telephonic application is required to state his/her full legal name to complete the signature process. That statement will be recorded and attached to the case as a permanent record. Therefore, the verbal signature shall always be deemed acceptable. However, if it is later verified that the person who provided the verbal signature was not the applicant or authorized representative, the signature is considered a forgery, and thus invalid [see Medical KEESM 1411.2(6) and KFMAM 1403.6 for treatment of an invalid signature].

Note that the agency has provided specific sections on the application where the applicant or authorized representative are directed to sign. A signature provided in the wrong place in most instances shall not disqualify the application as long as the signature is both valid and acceptable. This applies to signatures provided on either the signature page or the medical representative authorization page of the application.

In addition, when someone is acting on behalf of the applicant, such as a person holding a Financial Durable Power of Attorney (DPOA), General DPOA where the individual has control over finances, or is an authorized medical representative, that person shall sign his/her own name – not that of the applicant. If that person signs the applicant's name and not his/her own, the signature is invalid. However, the signature is valid where the authorized person signs both his/her own name and the applicant's.

### **IV. QUESTIONS**

For questions or concerns related to this document, please contact one of the KDHE Medical Policy Staff listed below.

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Questions regarding any KEES issues are directed to the KEES Help Desk at [KEES.HelpDesk@ks.gov](mailto:KEES.HelpDesk@ks.gov)