

Requirements and Procedures for Medi-Cal Provider Groups Designating Delegated Officials for the Sole Purpose of Signing Affiliation Forms

This bulletin establishes requirements and procedures for enrolled and newly enrolling provider groups who wish to assign signatory authority to an employee or employees other than authorized official(s) for the sole purpose of reporting affiliations and disaffiliations either through the Provider Application and Validation for Enrollment (PAVE) electronic form (e-Form) or the *Medi-Cal Rendering Provider/Group Affiliation/Disaffiliation Form* (DHCS 4029) only.

Based upon the authority granted to the director of the Department of Health Care Services (DHCS) in *Welfare and Institutions Code* (W&I Code), Section 14043.75(b), the requirements and procedures set forth below are established for the reporting and updating of information regarding delegated officials. These requirements and procedures implement W&I Code, Section 14043.25 and have the full force and effect of law.

Pursuant to the Medi-Cal bulletin titled "Requirements and Procedures to Report Affiliations Between Rendering Providers and Provider Groups," Medi-Cal provider groups and rendering providers are required to report all affiliations between the rendering provider and the group(s) that submit claims on their behalf. Provider groups and rendering providers must report these affiliations at the time of new enrollment, continued enrollment or revalidation. Groups and rendering providers who are already enrolled must report when a rendering provider joins or leaves an existing group. Affiliations must be reported using either the PAVE system or by paper form using the DHCS 4029 form. Whether submitting via paper or electronically, the affiliation reporting must include a signature from both the rendering provider and a person authorized to sign on behalf of the group.

Currently, the only person(s) authorized to sign Medi-Cal enrollment documents on behalf of provider groups is the individual(s) who is the sole proprietor, partner, corporate officer or an official representative of a governmental entity or non-profit organization who has the authority to legally bind the group. These persons shall be referred to as authorized officials. Effective the date of this bulletin, groups may choose to delegate signature authority, for the purpose of signing affiliation forms only, to certain additional members of the group organization. These additional persons with authority to sign affiliation forms will be referred to as delegated officials.

A delegated official is an individual who is delegated the authority to sign on behalf of the applicant or provider by an authorized official. The delegated official must be an individual with ownership or control interest in, or be a W-2 employee of, the provider or applicant. An independent contractor cannot be a delegated official.

The signature of a delegated official shall have the same force and effect as that of an authorized official, and shall legally and financially bind the provider or applicant to the laws, regulations, provider bulletins and program instructions of the Medi-Cal program.

By his or her signature on affiliation forms, a delegated official certifies that they have read the *Medi-Cal Provider Agreement* (DHCS 6208), all information in this provider bulletin and all information in the affiliation form, and that they agree to adhere to all of the stated requirements. The delegated official certifies under penalty of perjury that the information provided in submissions to DHCS is true, complete and accurate. The delegated official also certifies that he/she meets the definition of a delegated official, as defined above.

An authorized official may assign one or more delegated officials to sign for affiliations on the PAVE e-Form or the DHCS 4029 form on behalf of the provider group, and may add or remove delegated officials at any time. Only authorized officials may assign signatory authority. A delegated official may not assign this authority to others.

Appointing a delegated official is entirely optional. However, if a group decides not to designate any delegated officials, then a group's authorized official(s) will be the only individual(s) who may sign affiliation forms. Furthermore, an authorized official shall retain their signatory authority regardless of whether or not the group designates any delegated officials.

Designating a Delegated Official Using the PAVE Web-Based Enrollment System

Authorized officials who have opted to enroll using PAVE will complete the “Delegated Official” section on their Business Profile in PAVE. The signature of an authorized official on the e-Form constitutes a legal delegation of authority to all delegated officials assigned therein. In order to sign on behalf of the provider group, the delegated official must provide all information required in the e-Form.

PAVE will also be used to report the removal of a delegated official(s). The authorized official can initiate this action at any time.

Designating a Delegated Official Using a Paper Form

Authorized officials who have opted to designate a delegated official using the paper form must complete and sign the *Medi-Cal Group Designation of Delegated Officials Form* (DHCS 5263). The signature of an authorized official on the DHCS 5263 form constitutes a legal delegation of authority to all delegated officials assigned therein. In order to sign on behalf of the provider group, the delegated official must provide all of the information as required by the DHCS 5263 form.

The DHCS 5263 form will also be used to report the removal of a delegated official(s).

The form must be signed by an authorized official. Applicants and providers licensed pursuant to Division 2 (commencing with Section 500) of the *Business and Professions Code*, the *Osteopathic Initiative Act* or the *Chiropractic Initiative Act* **are not required** to have this form notarized. If it must be notarized, the Certificate of Acknowledgment signed by the notary public must be in the form specified in Section 1189 of the Civil Code.