



**State of Florida
Department of Children and Families**

Rick Scott
Governor

Mike Carroll
Secretary

DATE: October 6, 2016 **TRANSMITTAL NO:** P-16-10-0008

TO: Economic Self-Sufficiency Operations Managers
Economic Self-Sufficiency Program Offices

FROM: Susan Thomas, Interim Chief, Program Policy
Suzanne Poirier, Chief, Technology & Project Management
(Signatures on File)

SUBJECT: Organizations Acting as Designated Representatives for Medicaid

EFFECTIVE: Upon Receipt

This memorandum provides staff with new policy about an organization acting as a designated representative for Medicaid. This policy clarification does not apply to the Food Assistance or Temporary Cash Assistance Programs.

Background

Federal regulation allows an applicant or recipient of Medicaid to designate an individual or organization of their choice to act on their behalf when interacting with the Department. Department policy has limited a designated representative to only individuals or an employee of an organization. To align with federal guidelines, the Department is modifying policy regarding the designation of an organization as a representative.

Who May Act as a Designated Representative

An applicant/recipient, their spouse, legal guardian, Power of Attorney, or a responsible member of the assistance group may appoint any individual or organization of their choice to act on the applicant's/recipient's behalf when interacting with the Department at application or anytime during the eligibility period.

The designated representative, whether an individual or organization, must agree to maintain the confidentiality of all information regarding the applicant/recipient. A representative is capable of giving accurate information and assistance in establishing the individual's eligibility and will be held liable under penalty of perjury if they knowingly withhold or give false information about the applicant/recipient. The designated representative must notify the Department of any event or change in the individual's circumstances that will affect the individual's benefits. If the representative does not have sufficient knowledge of the applicant/recipient, another designated representative

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must be appointed. Staff must make the request for a new designated representative to the applicant/recipient in writing.

The appointment of the designated representative remains in effect until the applicant/recipient modifies the authorization or the designated representative notifies the Department they no longer have the designation. In addition, upon verification, anyone authorized by state law (a spouse, legal guardian, or Power of Attorney) has authorization to act as a designated representative.

When an individual or an organization other than the legal guardian or Power of Attorney is the designated representative, staff who adds the representative to the case must send written notice to the legal guardian or Power of Attorney advising him/her that a designated representative has been appointed.

Designation by the Applicant/Recipient

See attached copy of the CF-ES 2505, *Appointment of a Designated Representative*, where Sections 1-3 are shown to assist with completing the form. Section 1 is always completed with the customer's case number and name.

Section 2 is completed by the customer and their representative. If an organization is designated as the representative, the appointment is not required to be a specific employee of the organization. The organization may be designated as the representative on the CF-ES 2505 form. The organization's name should be entered in the "Name of Representative or Organization" field and the employee's signature in the "Signature of Representative" field. The organization's name cannot be entered in the "Signature of Representative" field; it must be a signature of an employee who is acknowledging the relationship with the customer and the organization's contact information. By appointing an organization in Section 2 of the CF-ES 2505, any employee of the organization may communicate with the Department. Note: This allows different individuals of the organization to communicate with the Department on behalf of the individual.

An organization cannot self-designate, but an individual employee of an organization may continue to self-designate. If the individual employee of an organization self-designates, they would complete Sections 1 and 3 of the CF-ES 2505. If this is done, only that employee may communicate with the Department and not any other employee of the organization.

FLORIDA Instructions

Organization Appointed

When completing the Authorized Representative/Protective Payee/Alternate Payee/Legal Guardian/Beneficiary (AGAR) screen, staff must ensure the name of the organization is listed, not an individual employee of the organization. This ensures that when other Department staff review the AGAR screen for designated representative information, the organization can be identified and no single individual is required to be

the designated representative. Staff must ensure the Running Records Comments (CLRC) screen is notated with the individual employee's information that is representing the organization at each contact.

Individual Appointed

When completing the AGAR screen, staff must ensure that the name of the individual is listed.

If there are Medicaid policy questions, region offices may contact Dianna Laffey at Dianna.Laffey@myflfamilies.com. If there are system questions, region offices may contact Eileen Schilling at Eileen.Schilling@myflfamilies.com.

Attachment

cc: Assistant Secretary for Economic Self-Sufficiency (Jeri Culley)
Director (Tonyaleah Veltkamp)
Customer Call Center (Liesta Sykes, Guerschom Alcin, Andrew Houghton, Georgina Santana)
Data Analytics and Contract Management (William Martinez)
EBT (Michael Pogue)
FLORIDA Help Desk (Glenda Washington)
Information Technology (Kit Goodner, Barbara Roglieri, Darren Brooks)
Office of Appeal Hearings (Nathan Koch)
Office of Communications (Jessica K. Sims)
Office of the General Counsel (Lynn S. Hewitt)
Office of Continuous Improvement (Debbie McLemore)
Technology & Project Management (Margie France, Eileen Schilling)
Program Policy (Voletta Bogan, Dianna Laffey, Connie Mathers)
Public Benefits Integrity (Andrew McClenahan, Sheri Hall, Fred Young)
Florida Legal Services (Cindy Huddleston)
AHCA (Mary McCullough, Lisa Gill, Peggy Hall, Virginia Hardcastle, Shevaun Harris, Beth Kidder, David Rogers)
Florida Bar Elder Law Section (Emma Hemness, Twyla Sketchley)
Florida Healthy Kids (Fred Knapp)



APPOINTMENT OF A DESIGNATED REPRESENTATIVE

1

Case Number _____

Customer's Name _____

Completed by Customer

I would like for _____ to act on my behalf in determining my
Name of Representative
eligibility for public assistance from the Department of Children and Families.

Signature of Customer _____

_____ Date

2

Completed by Representative

I understand that by accepting this appointment, I am responsible to provide or assist in providing information needed to establish this person's eligibility for assistance. I understand that I may be prosecuted for perjury and/or fraud if I withhold information or intentionally provide false information.

Signature of Representative _____

_____ Date

Relationship to Customer _____

Street Address _____

City _____

State _____

Phone Number _____

Self-Appointment by Representative

I am acting for _____ in providing information to establish eligibility for assistance because he/she is unable to act on his/her own behalf. I will provide information to the best of my knowledge. I understand that if I withhold information or if I intentionally provide false information, I may be prosecuted for perjury and/or fraud. I agree to immediately report any change in their situation of which I become aware.

Signature of Representative _____

_____ Date

Relationship to Customer _____

Street Address _____

City _____

State _____

Phone Number _____

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