

Enrollment with a Decision Maker

Job Aid – CPL-ISO-155c

During the enrollment process, it is important to directly ask the beneficiary if they make their own healthcare decisions. A beneficiary may have a power of attorney (POA), legal guardian, or

Power of Attorney (POA)	Legal Guardian
Someone the beneficiary has asked or appointed to act on their behalf in making medical and health care coverage decisions, created through a legal document. The specific POA type is medical or healthcare.	A person appointed by the courts because the beneficiary was not of sound mind and not capable of appointing someone to act on their behalf.

another person authorized by state law to make healthcare decisions.

Important Notes for Enrollment

- **Use of Informal Helper:** A beneficiary may have someone who helps them make decisions but cannot legally sign or hear the presentation of benefits in the place of the beneficiary. It is recommended, to prevent misunderstandings and reduce potential complaints, both the support person and the beneficiary should be on the call.
- **Verification of Legal Authority:** Do not make proof of legal authority a condition of enrollment. Instead, ask the person who is listening to the presentation of benefits and signing the application if they are legally authorized to act on behalf of the beneficiary and if they can provide proof if requested by CMS later.

Keys to Success During Enrollment

- **Follow your scripting:** The script will contain direct and probing questions to determine if a decision maker should be present
- **Treat each case individually:** Look for competency issues, statements or questions that indicate that the individual generally consults with others to make this type of decision
- **Be supportive and neutral:** Listen carefully, avoid influencing a decision and clarify any doubt the authorized representative might have

Situations to Avoid During Enrollment

- **Completing enrollment without legal authorization:** If the beneficiary lacks capacity and no legal representative is present, do not proceed with enrollment.
- **Enrolling someone not of sound mind:** If you determine or suspect competency is questionable, you need to stop the process and assess further
- **Do not give legal advice:** Refrain from providing legal advice, but you may suggest they consult a legal professional.