



GUIDANCE REGARDING THE USE OF ELECTRONIC SIGNATURES DURING THE COVID-19 NATIONAL HEALTH EMERGENCY

As a result of the novel coronavirus (COVID-19) outbreak, many providers are asking patients to sign consents or other documents electronically using electronic or remote signatures. The following guidance applies during the current public health emergency to any and all forms that must be signed. This includes, but is not limited to, the Notice of Privacy Practices, Authorization to Release Information forms, or other forms required in the normal course of business.

Based upon the factors of security, verifiability, and client usability, the following should be utilized in the listed order of preference to obtain signatures for clients, patients, and/or guardians when a form or document cannot be signed in person:

1. Adobe Sign/DocuSign – this option allows recipients to securely electronically sign documents using a unique login and password.
2. PDF Email Attachment – this option is initiated when an email containing the form to be signed is sent from a BrightSpring staff member to a client, patient, or guardian. The recipient can then either print, sign the form in ink, and scan or photograph the form back to the sender, or sign the form electronically, attached the signed form to an email, and send the email back to the sender.
3. Phone Consent to Sign – where electronic signatures or sending PDF documents are not an option, BrightSpring staff may obtain telephonic consent to sign forms on the client, patient's, or guardian's behalf. In these instances, staff should verify the signer's identity, read the forms verbatim over the phone, and ask for their permission to electronically sign on their behalf. Staff should then create a case note regarding the conversation and send a copy of the fully executed form and note to the client, patient, or guardian.

Regardless of the form of electronic signature used, any and all documentation regarding the electronic signature should be retained with the signed document itself. This includes, for example, any confirmation notices that may be sent via Adobe Sign or DocuSign or the transmitting email to which PDF documents are attached.

Please note that these guidelines apply only during the COVID-19 national emergency. If your operation would like to continue regular use of electronic signatures after the national emergency concludes, please contact the Legal Department for further guidance.