





**COBB COUNTY COMMUNITY SERVICES BOARD  
DOUGLAS COUNTY COMMUNITY SERVICES BOARD**

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<b>Policy # 2521</b>	<b>Waiver of Liability</b>
<b>Origination Date: May 1997</b>	
<b>Revision Date: March 2004; March 11, 2008; April 2, 2009</b>	
<b>Reviewed Date: March 2005; March 15, 2006; March 9, 2007; April 14, 2010; June 15, 2011; July 2, 2012; July 21, 2013; October 15, 2014; October 17, 2016</b>	
<b>Approved:</b>  _____ Paul Ascari, Chief Financial Officer	 _____ Bryan G. Stephens, Interim Executive Director

**POLICY:**

It is the policy of the Cobb County Community Services Board and the Douglas County Community Services Board to communicate with clients prior to service delivery when a Medicare claim is filed and Medicare is likely to deny payment for services. A claim is often filed in such cases to provide proof to the client when Medicare does not reimburse the provider. The Waiver of Liability is a form stating that the client is responsible for payment for the uncovered services.

**PROCEDURE:**

When the Cobb County Community Services Board and the Douglas County Community Services Board knows, or could be expected to know, that the billed items or services will be denied by Medicare, a Waiver of Liability form is completed. The Waiver of Liability establishes liability prior to claims submission, which encourages accurate communication with the Medicare beneficiary. A Waiver of Liability form is completed for any services that are not covered by Medicare. The Waiver of Liability establishes liability for payment as residing with the client. If the provider fails to complete a Waiver of Liability form and the provider knows, or could be expected to know, that the billed items or services would be denied, the liability for payment rests with the provider.

- A. The waiver is completed and signed prior to the delivery of services. The Financial Intake Department determines when a Waiver of Liability is completed (i.e., when Medicare is likely to deny payment for services). The waiver contains the following information:
- Name of client
  - Name of service provider
  - Statement identifying that payment will be denied with specific reasons
  - Employee signature and date
  - Client signature and date
- B. If the client refuses to sign the Waiver of Liability, the staff member makes a notation on the Waiver of Liability form that the client refused to sign. The staff member also offers to provide the services on an “unassigned basis.” (“Unassigned basis” means that benefits payable for services rendered, as well as liability for payment for services rendered, are not assigned to a third party. Rather, the benefits and corresponding liability remain with the client.) Services provided on an unassigned basis require that the client pay for services upon delivery. Alternatively, a statement can be sent to the client for timely payment.

- C. The Cobb County Community Services Board and the Douglas County Community Services Board submit a claim on behalf of the client to Medicare. Medicare reimburses the client for covered services. If Medicare determines that a particular service is not “reasonable and necessary” under the Medicare program standards, Medicare denies payment for that service.
- D. The Waiver of Liability notice is maintained in the client’s chart.