

## AN OVERVIEW OF THE CAC DESIGNATION FORM, PERMISSION TO SHARE INFORMATION FORM, AUTHORIZED REPRESENTATIVE DESIGNATION FORM, AND VOTER DECLINATION FORM

Certified Application Counselors (CACs) are required to use certain forms to authorize and enable them to assist consumers appropriately throughout the process of applying for health insurance. Other forms are not required, but may be used by a CAC with approval by the consumer. Below is information and guidelines on these forms, including which forms are required and which are optional. The length of time these forms remain in effect has been added to the guidelines.

### **CAC Designation Form (Required):**

- The CAC Designation Form (CDF) is what gives a CAC the authority to assist a consumer.
- **CACs must complete a CDF for each consumer they assist, before they provide assistance.** For example, if a consumer meets with CAC “A” on one day, then returns to the same facility but works with CAC “B”, both CACs would need to sign and submit a CDF for the consumer. If the consumer works with CAC “A” again, CAC “A” would not need to complete another CDF so long as the original CDF is still in effect.
- Once the CDF has been signed, the CAC may perform any of the following activities that the consumer may request:
  - provide information about QHPs and insurance affordability programs such as MassHealth;
  - help the consumer complete and submit an application, renewal or other eligibility-related form;
  - help the consumer provide additional documentation to MassHealth or the Health Connector;
  - help the consumer respond to requests from MassHealth or the Health Connector about an application, renewal or related form;
  - interact with MassHealth or the Health Connector on the status of an application or renewal;
  - help the consumer enroll in a MassHealth or Health Connector program; and
  - offer and provide voter registration assistance (unlike other activities, a CAC must offer to provide voter registration assistance).
- **A CDF does not authorize the CAC to act independently from or on behalf of the consumer, or to make decisions for the consumer.** For example:
  - A CAC can help a consumer complete and submit an application, but the CAC *cannot* sign the application for the consumer. The consumer must sign for himself.

- A CAC can help a consumer report changes to MassHealth or the Health Connector, including helping the consumer complete a change request form. If the CAC is providing in-person assistance to a consumer, and the consumer provides verbal approval to Customer Service for the CAC to speak on the consumer's behalf, the CAC can communicate a change to Customer Service. A CAC cannot make a change to a consumer's case under any other circumstances. Only ARDs can make such a change without the consumer being present to give verbal consent.
- A CDF does *not* allow the CAC to view eligibility notices or other communications from MassHealth or the Health Connector.
- A CDF remains in effect indefinitely unless the consumer or the CAC terminates or revokes the CDF.
- The CDF can be found in the [CAC Learning Management System](#) (under "Resources").

#### **Permission to Share Information Form (Optional):**

- The Permission to Share Information (PSI) form authorizes MassHealth to share information with a specific person or organization identified by the consumer in Section 3 of the form (the "Recipient").
- The consumer decides what specific information or type of information can be shared with the Recipient by completing Section 2 of the PSI form. For example, if the consumer checks the first box in Section 2, he is authorizing MassHealth to share all eligibility notices and communications with the Recipient. MassHealth can only share the information that the consumer identifies in Section 2 of the PSI form.
- A PSI form does not give the Recipient the authority to do *anything* for or on behalf of the consumer. Its *only* purpose is to allow the Recipient to access information about the consumer, as described in Section 2 of the form.
- If a consumer would like a CAC to receive copies of his eligibility notices, the consumer must complete a PSI form. The CDF is not sufficient because it does not allow the CAC to receive copies of or access this information.
  - When the new MAhealthconnector website goes live on November 15, 2014, it will not have the functionality to send copies of notices to persons authorized to receive under a PSI. The state will inform you as soon as this functionality will be available to PSIs. If a consumer would like a CAC to receive notices when they become available, the consumer should still complete a PSI form.
- Consumers are not required to sign a PSI form to get assistance from a CAC. A PSI form may only be completed with approval by the consumer. A CAC is allowed to describe the PSI form and its authorities to a consumer and may advise the consumer that he or she can authorize the CAC to receive notices and communications if he or she chooses to do so, using the following as a guide:
  - After describing the PSI form to a consumer, the CAC could tell the consumer that: As your CAC, I can check on the status of your application or renewal form, help you respond to requests and other communications from MassHealth or the

- Health Connector and perform any other activity listed on the CAC designation form that you request.
- The CAC could then remind the consumer that: As your CAC, I will not automatically receive copies of the notices or other communications that are sent to you.
  - The CAC could then inform the consumer that: If you would like to authorize someone to receive copies of your notices and communications, you would complete the PSI form and check the first box in Section 2. You can use the PSI form to authorize me to receive copies of your notices and communications if you would like.
- When discussing the PSI form with a consumer, it is the CAC's responsibility to provide the consumer with the information necessary to make an informed decision about whether or not to sign a PSI form. To do so, the CAC must provide a complete and accurate description of the PSI form and what it can be used for. The CAC cannot require that the consumer complete a PSI form under any circumstances, and cannot recommend that the consumer complete a PSI form unless the consumer has asked for the CAC's opinion or recommendation.
  - MassHealth's authority to share information under a PSI form is valid for: (a) the period identified by the consumer in Section 5 of the form; or (b) if the consumer does not identify an expiration date, 18 months after the date of the form (in each case, unless terminated earlier by the consumer). The PSI form can be found [online](http://www.mass.gov/MassHealth) ([www.mass.gov/MassHealth](http://www.mass.gov/MassHealth) under "Applications and Member Forms").

### **Authorized Representative Designation Form (Optional):**

- The Authorized Representative Designation (ARD) form, formerly known as the Eligibility Representative Designation (ERD) form, is used by a consumer to give a person or organization (the representative) the authority to act on his behalf in all matters with MassHealth and the Health Connector. In other words, it enables the representative to do *anything* that the consumer can do himself in relation to MassHealth and Health Connector programs.
- A CAC may become a consumer's authorized representative *only with permission and approval by the consumer*. A CAC is allowed to describe the ARD form and its authorities to a consumer and may advise the consumer that he or she can designate the CAC as the consumer's authorized representative if he or she chooses to do so, using the following as a guide:
  - After describing the ARD form to a consumer, the CAC could tell the consumer that: As your CAC, I can help you submit an application, renewal or other eligibility-related form, help you report changes in your income, address or other circumstances to MassHealth or the Health Connector and perform any other activity listed on the CAC designation form that you request.
  - The CAC could then remind the consumer that: As your CAC, I cannot make changes related to your case on your behalf or otherwise act independently from you or make decisions for you.

- The CAC could then inform the consumer that: If you would like to give someone the authority to make changes for you and otherwise act on your behalf in connection with your MassHealth or Health Connector-related benefits, you would complete the ARD form to designate that person as your authorized representative. You can designate me as your authorized representative if you would like.
- When discussing the ARD form with a consumer, it is the CAC's responsibility to provide the consumer with the information necessary to make an informed decision about whether or not to designate an authorized representative. To do so, the CAC must provide a complete and accurate description of the ARD form and make clear that the ARD form allows the authorized representative to do *anything* that the consumer can do (such as make changes related to the consumer's eligibility and enrollment and access the consumer's confidential information). The CAC cannot require that the consumer complete an ARD form under any circumstances, and cannot recommend that the consumer complete an ARD form unless the consumer has asked for the CAC's opinion or recommendation.
- Serving as an authorized representative is outside of a CAC's role, and a CAC is not required to agree to a consumer's request to act in this capacity.
- There are three "types" of authorized representatives.
  - An "ARD 1" is a representative who is designated by the consumer in writing by completing Section I of the ARD form.
  - An "ARD 2" is a representative who designates himself to act on behalf of a consumer when the consumer is not capable of doing so because of mental or physical condition.
  - An "ARD 3" is a representative who has the authority to act on behalf of a consumer under applicable law.
- ***A CAC is not permitted to become a consumer's ARD 2 or ARD 3 (unless the CAC has a personal relationship with the consumer and is not doing so in his or her capacity as a CAC).***
- If a consumer requests that a CAC become his authorized representative, and the CAC accepts, the consumer and the CAC must both complete Section I of the ARD form. The CAC's authority to act on behalf of the consumer will not terminate until the ARD form has been terminated in writing by the consumer or the CAC.
- The ARD form can be found [online](http://www.mass.gov/MassHealth) ([www.mass.gov/MassHealth](http://www.mass.gov/MassHealth) under "Applications and Member Forms").

#### **Voter Declination Form (Required):**

- Each time a CAC assists a ***new applicant, or existing member they are helping with a new application, renewal, or change of address***, they are required to ask the individual if they want to register to vote, and explain that applying for or declining voter registration will not affect their application for health and dental benefits.

- The CAC *must* fill out the “Declination Form” **regardless of whether the person wants to sign up to vote or not**. An applicant may decline voter registration because they are registered somewhere else, are not a citizen, or they may simply not wish to register.
- CACs must not coerce anyone to register or attempt to influence voting choices in any way.
- The Declination form is retained by the CAC organization for 22 months.
- The voter Declination Form can be found in the [CAC Learning Management System](#) (under “Resources”).

Summary of Forms and Authorized Actions			
Authorized Action	<u>CAC Designation Form</u>	<u>Permission to Share Information Form*</u>	<u>Authorized Representative Designation Form**</u>
Receive Eligibility-Related Information Over the Phone	Yes	Yes	Yes
Receive Duplicate Notices	No	Yes	Yes
Make Changes on Behalf of Applicant	No	No	Yes

\*Assuming that the consumer checked the **first box** in Section 2 of the PSI form.

\*\* Assuming that the consumer designated the CAC as his or her **ARD I**.