

SECTION 16: DELEGATED OFFICIAL (OPTIONAL)

A delegated official must be a W-2 managing employee of the DMEPOS supplier, or an individual with a 5% or greater direct ownership interest in, or any partnership interest in, the enrolling DMEPOS supplier. Delegated officials are persons who are delegated the legal authority by the authorized official reported in Section 14B to make changes and/or updates to the DMEPOS supplier's status in the Medicare program. This individual must also be able to commit the DMEPOS supplier to fully abide by the laws, regulations, and program instructions of Medicare. For purposes of this section only, if the individual being assigned as a delegated official is a managing employee, that individual **must** be an actual W-2 employee of the enrolling DMEPOS supplier. The NSC may request evidence indicating that the delegated official is an actual employee of the DMEPOS supplier. Independent contractors are not considered "employed" by the DMEPOS supplier. A DMEPOS supplier can have no more than three delegated officials at any given time.

The signature of the authorized official in Section 16B2 constitutes a legal delegation of authority to any and all delegated official(s) assigned in Section 16.

- A. Check Box** - If the DMEPOS supplier chooses not to assign any delegated officials in this application, check the box in this section. There is no requirement that the DMEPOS supplier have a delegated official. However, if no delegated officials are assigned, the authorized official will be the only person who can make changes and/or updates to the DMEPOS supplier's status in the Medicare program. All delegated officials must meet the following requirements:

- The delegated official must sign and date this application,
- The delegated official must furnish his/her title/position, and
- The delegated official must check the box furnished if they are a W-2 employee.

NOTE: The delegated official must also be reported in Section 6.

B. 1st Delegated Official Signature

If the DMEPOS supplier chooses to add delegated officials or to delete existing ones, this section should be completed as follows:

- Check the appropriate box indicating if the delegated official is being added or deleted and furnish the effective date,
- The authorized official must provide his or her signature and date of signature in Sections 15B and 16B2,
- The delegated official(s) to be added must provide the information and their signature(s) in Section 16B, and
- The delegated official(s) to be deleted does not have to sign or date the application.

NOTE: All signatures must be original. Faxed, photocopied, or stamped signatures are not acceptable.

If the DMEPOS supplier is reporting a change of information about an existing delegated official (e.g., change in job title, etc.), this section should be completed as follows:

- Check the box marked "Change" and furnish the effective date,
- Provide the new information, and
- The authorized official must sign and date Sections 15B and 16B2.

Delegated officials may not delegate their authority to any other individual. Only an authorized official may delegate the authority to make changes and/or updates to the DMEPOS supplier's Medicare status. Even when delegated officials are reported in this application, an authorized official retains the authority to make any such changes and/or updates by providing his or her printed name, signature, and date of signature as required in Section 15B.

In addition, the delegated official, by his/her signature, agrees to notify the Medicare contractor of any changes to the information contained in this application within 30 days of the effective date of the change.

- C. 2nd Delegated Official Signature** - This section provided to report a second (optional) delegated official for this supplier. See instructions above for Section 16B.
- D. 3rd Delegated Official Signature** - This section provided to report a second (optional) delegated official for this supplier. See instructions above for Section 16B.