
**Early Learning & Children's Services
Committee**

HB 1270

Brief Description: Permitting electronic signatures on applications for public assistance and for benefits administered by the health care authority.

Sponsors: Representatives Green, Cody, Dickerson, Ericksen, Upthegrove, Springer, Roberts and Nelson; by request of Department of Social and Health Services and Health Care Authority.

Brief Summary of Bill

- Authorizes the Department of Social and Health Services and the Washington State Health Care Authority to accept electronic signatures for the processing of applications for public assistance and health program benefits.

Hearing Date: 1/27/09

Staff: Sydney Forrester (786-7120)

Background:

The Department of Social and Health Services (DSHS) administers a variety of public assistance programs, including Temporary Assistance for Needy Families (TANF), Medicaid, Medicare, and General Assistance for the Unemployable (GAU). The Washington State Health Care Authority (HCA) administers seven health benefit programs, including health care plans for low-income persons, tribal members, and state employees.

The DSHS accepts electronic signatures for the processing of applications in some programs, such as TANF and GAU. The DSHS does not, however, allow electronic signatures for applications under the Medicare or Medicaid programs because federal guidance for administering these programs indicates that states should first have in place a state law expressly allowing for electronic signatures before accepting such signatures for Medicaid and Medicare

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applications. The HCA allows documentation for eligibility to be submitted via electronic means, but still requires written signatures for authentication and verification on many forms.

Electronic signatures are used for the processing of applications submitted online. They allow for the processing of online applications without requiring a hard copy of the application be printed, sent to the applicant, and returned to the agency via the mail. Electronic signatures do not change program eligibility standards and do not alter other information verification processes relating to an applicant's income or residency status. Like physical signatures, electronic signatures are made under penalty of perjury.

Summary of Bill:

The DSHS and the HCA are authorized to accept electronic signatures for all programs the agencies administer. Applications must have either a physical signature or an electronic signature. An electronic signature is defined as a signature in electronic form attached to or logically associated with an electronic record to allow a paperless method for signing a document. This may include a sound, symbol, or process attached to or logically associated with the electronic record and executed or adopted by a person with the intent to sign the record.

Appropriation: None.

Fiscal Note: Requested on January 16, 2009.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.