

HOUSE BILL REPORT

HB 1270

As Passed Legislature

Title: An act relating to permitting electronic signatures on applications for public assistance and for benefits administered by the health care authority.

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 History:

Committee Activity:

Early Learning & Children's Services: 1/27/09, 1/30/09 [DP].

Floor Activity

Passed House: 2/23/09, 97-0.

Passed Senate: 4/10/09, 45-0.

Passed Legislature.

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.

HOUSE COMMITTEE ON EARLY LEARNING & CHILDREN'S SERVICES

Majority Report: Do pass. Signed by 7 members: Representatives Kagi, Chair; Roberts, Vice Chair; Haler, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Angel, Goodman and Seaquist.

Staff: Sydney Forrester (786-7120)

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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 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: Available.

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

Staff Summary of Public Testimony:

(In support) This is a government efficiency bill. We have come a long way in being efficient in the delivery of services, and the agencies are now seeking permission to utilize electronic signatures to assure they are in compliance with the law. This is a positive step forward in processing applications received online, including applications for children's medical programs. The electronic signature expedites the processing of applications. Without permission to utilize electronic signatures, we will continue to delay processing of online applications until we receive a hard copy of a signed application. The ability to use an

electronic signature makes no changes to eligibility processes or any of the verification processes.

The number one request from families has been for the ability to submit applications online, even though they will still need to send in other documentation. When we piloted the online applications for children's health care coverage, we noticed a four-fold increase in the number of applications, and many of these were submitted in the later hours of the evening after children are in bed.

The goal of the agency is to be more efficient and to eliminate unnecessary paperwork and reduce the amount of mailing costs. We will be implementing the use of electronic signatures with existing resources and we predict some cost savings, depending on usage.

(Opposed) None.

Persons Testifying: Representative Green, prime sponsor; Manning Pellanda, Department of Social and Health Services, Health and Recovery Services Administration; Patty Hayes, Within Reach; and Dennis Martin, Health Care Authority.

Persons Signed In To Testify But Not Testifying: None.