



State of California—Health and Human Services Agency
Department of Health Services



ARNOLD SCHWARZENEGGER
Governor

May 31, 2007

TO: ALL COUNTY WELFARE DIRECTORS Letter No. 07-13
ALL COUNTY ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY HEALTH EXECUTIVES
ALL COUNTY MENTAL HEALTH DIRECTORS

SUBJECT: ELECTRONIC SIGNATURES AND RECORDS

The purpose of this letter is to provide counties with guidance on the use of electronic signatures and electronic record retention. The policies in this letter are limited to the Medi-Cal eligibility determination process administered by the California Department of Health Services (CDHS).

Counties may utilize electronic signatures and electronic record retention as long as the county follows State law and information technology (IT) industry standards.

- The counties must follow California Civil Code Section 1633.1 et seq. regarding electronic signatures, electronic storage of documents, document transmission, and security procedures. Counties must comply with all current CDHS program policies.
- Counties must adhere to established IT industry standards for the creation, storage, and transmission of electronic documents. The American National Standards Institute, the Association for Information and Image Management, and the International Organization for Standardization are private organizations that are regarded in the IT industry as defining the standards for electronic information creation, storage, and transmission.

Electronic Signatures

Counties are currently viewing electronic signatures with the online children's Medi-Cal application Health-e-App. In the event that counties receive electronic signatures on a Medi-Cal eligibility document from a system other than Health-e-App, the counties must document its procedures and ensure that the system design complies with established IT industry standards and State Law.

An electronic signature is considered a signature if the applicant/beneficiary is informed that an electronic signature was being used, consents to the use of an electronic signature, and intends the signature to have the same force and effect as a written signature. An electronic signature must be bound or associated with an authenticated record of the client-supplied eligibility information.

If the counties certify that the electronic signature has a high veracity, it is not necessary to collect an original written signature for that document. If counties doubt the authenticity of a signature, counties should request a new signature on a form published by the State or generated from the county automated system. Health-e-App electronic signatures have a high veracity as the applicants are assisted by State-approved community outreach workers using a State-sponsored system.

Electronic Record Retention

Records that originally existed in paper copy form may be retained in electronic form by counties. Counties must use IT industry standards for conversion and storage and adopt reasonable security procedures to prevent changes.

The electronic documents must be accurate reflections of the originals and must remain accessible for reference over the retention period otherwise required for that particular record. Counties must properly archive and back up the electronic records. Counties are not precluded from destroying the paper documents after conversion to electronic records.

All current CDHS procedures and county instruction letters remain in effect. No eligibility requirements have changed due to automation, including but not limited to, ensuring client access to case records and record retention. For example, the counties must be able to produce records for audits, hearings, program review and quality control. Counties must ensure that information collected electronically allows the county

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to fulfill its performance standards obligations, as specified in the Welfare and Institutions Code Section 14154 and Section 14154.5.

Counties should not electronically store certain original documents, such as certain official court documents. If there are any questions regarding the applicability of these exceptions for specific documents, counties should consult with their county counsel. After making a copy, the county should return the original document to the applicant/beneficiary. Counties may electronically store a document as long as there is no other law that specifically requires the documents to be maintained in their original form.

In the event that you need to obtain further clarification on any of the information in this letter, please contact Mr. Manuel Urbina at murbina@dhs.ca.gov or (916) 552-9521.

Original Signed By

Maria Enriquez, Chief
Medi-Cal Eligibility Branch