

DSS ADMINISTRATIVE LETTER

Family Support and Child Welfare Services FSCWS-02-07

TO: County Directors of Social Services

ATTENTION: Work First Administrators, Program Managers and Supervisors

DATE: February 5, 2007

SUBJECT: USE OF ELECTRONIC SIGNATURES

EFFECTIVE DATE: Immediately

Over the last few months, questions have been forwarded to the Division regarding the use of electronic signatures. The use of electronic signatures is an issue that has moved to the forefront of discussion, as more counties are developing processes that reduce the amount of paperwork and are moving toward paperless systems.

In recent years, the Electronic Commerce Act, N.C.G.S. § 66-58.1 et seq., the Uniform Electronics Transactions Act (UETA), N.C.G.S. § 66-311 et seq., and the Electronic Signatures in Global and National Commerce Act (E-SIGNS), 15 U.S.C. § 7001 et seq. legislation have been passed, which state an electronic signature may be used by a person in lieu of a signature affixed by hand. In addition, the use of an electronic signature shall have the same validity and effect as the use of a signature affixed by hand. The Work First regulations in the Code of Federal Regulations and Chapter 108A of the North Carolina General Statutes were reviewed, and nothing was found that would legally prohibit the use of electronic signatures.

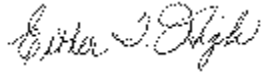
There is, however, a provision in the Work First Manual that requires the Form DSS-8124 to be printed and signed. Currently, therefore, the Manual requires a hard copy of the application with the applicant's signature.

With the effective date of this Administrative Letter, counties may begin to use an electronic signature on the Work First Application, DSS-8124. The electronic signature on the application will have the same validity and effect as the use of a signature affixed by hand. The policies regarding the disclosure of information and access to records are the same for electronic information as with paper records. The use of any form of electronic automation also creates IT issues, such as adequate back-up and security

confidentiality protections. Therefore, the county must ensure that adequate measures are in place to protect said information as with those records not produced by electronic means. Also, the county needs to have the capability to print out a hard copy for monitoring or audit purposes or if there is an appeals hearing.

If you have questions related to this issue, please contact your Work First Representative or Sharon Moore at (919) 733-4622.

Sincerely,



Esther T. High, Acting Chief
Family Support and Child Welfare Services Section

cc:	Sherry Bradsher
	Jo Ann Lamm
	Hank Bowers
	Family Support and Child Welfare Team Leaders
	Children's Programs Representatives
	Work First Program Representatives
	Local Business Liaisons