

Approval of Electronic Signature Solutions

Applies to: Department of Enterprise Services employees participating in the approval, selection, acquisition, an implementation of an electronic signature solution

Information contact: DES Chief Information Officer

Effective date: May 1, 2016

Last update: N/A

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Approved by: _____/s/_____ Chris Liu, Director

Related Policy: OCIO Statewide [Electronic Signature Guidelines](#)

DES Administrative [Policy ITS.01.01 Use of Electronic Signature & Submissions](#)

DES Administrative [Policy ITS.01.01.A1 Approved Electronic Signature Methods & Processes](#)

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Purpose

The purpose of this procedure is to make sure that:

DES follows a consistent, controlled, and scalable process for approving and implementing specific electronic signatures and submissions (solutions) for transaction types (See [Approved Electronic Signature Methods & Processes Table](#)).

Part A: Identifying agency transactions suitable for an electronic solution

About this part: This part lays out the minimum steps necessary to determine:

- Is a solution needed or desired?
- Are funds/resources likely available to identify, acquire and implement a specific solution?
- Does the value of an electronic solution outweigh the costs?

After answering these questions, the agency should have enough information to:

- Determine if a comprehensive business analysis and risk assessment should be conducted;
- Appropriately scale the rigor of the business analysis and risk assessment to transaction risk.

Summary of Tasks

Action By	Action
Anyone participating in approval, selection, acquisition, and use of an electronic solution	1. Before participating in any actions, reviews DES Policy ITS.01.01 Use of Electronic Signature & Submissions and the Electronic Signature Guidelines .
Program	2. Identifies need (required or desired) for an electronic signature or submission method or process (solution) and submits a request for an approval review by the CIO to their division head. The request shall include: <ul style="list-style-type: none"> • A description of the transaction; • Any exceptions within that transaction which will not be performed by the solution. • The program and/or the individual(s) authorized to use the solution.
Program's division head	3. Decides if a need for a solution exists and if resources are likely available. Submits a request in writing (email is OK) for an approval review to the CIO.
Steering Committee (CIO, CFO, and the Asst. Director of Contracts, Procurement, and Risk Management)	4. Conducts an initial business triage and determines if putting a solution in place will likely: <ul style="list-style-type: none"> • Enhance the experience of our internal/external customers; • Provide efficiency benefits, and/or • Save costs of doing business (better, faster, cheaper) • Maintain strong internal controls

Part B: Conducting a Business Analysis and Risk Assessment

About this part: This part lays out the steps necessary to:

- Identify and minimize any risk factors that could contribute to the possibility of a challenge to the validity or enforceability of an electronic signature.
- Determine the level of risk that can be tolerated
- Select a solution for a specific transaction type

Summary of Tasks

Action By	Action
Steering Committee	<ol style="list-style-type: none"> Using the information learned from the initial business triage in conjunction with the OCIO model risk assessment model found in the OCIO Electronic Signature Guidelines: <ul style="list-style-type: none"> Appropriately, scales the business analysis and risk assessment to transaction risk based on the nature of the transaction and the level of tolerated risk. Assembles and oversees a solution review team. To the extent possible, the areas below should be represented on the team or act in an advisory role to the team: <ul style="list-style-type: none"> IT Security Impacted business lines Finance Legal Procurement Risk Management Records Management
Solution Review Team	<ol style="list-style-type: none"> Upon conclusion of the business analysis and risk assessment, submits a recommended solution to the Steering Team. Includes the following in their recommendation: <ul style="list-style-type: none"> The range of technological options commercially available; A cost/benefit analysis which includes potential costs, quantifiable and unquantifiable, direct and indirect; A plan for converting a traditional process to an electronic one; A communication plan developed in consultation with the agency Communications Office; Records Officer review: In order to proceed, the review must confirm the recommended solution complies with records management requirements; Office of Legal Services legal review: In order to proceed, the legal review must verify that the recommended solution complies with applicable laws governing the creation and use of electronic signatures; Policy and Rules Manager review: In order to proceed, the policy and rule review must determine if current agency policies, rules, standards, and forms present barriers. Where barriers exist, the review shall include a list of the areas that require change.

Part C: Approving an Electronic Solution

About this part: This part lays out the activities necessary to approve a specific recommended solution.

Summary of Tasks

Action By	Action
Steering Committee	<ol style="list-style-type: none"> Reviews the Solutions Review Team recommendation and determines: <ul style="list-style-type: none"> If the level of risk presented is acceptable. If so, Are resources available to put a solution in place. If so,

Action By	Action
	<ul style="list-style-type: none"> Determine if the solution fits within the agency's current technological architecture. If not, Determine what can or should be changed within the existing architecture to allow for the use of the recommended solution.
CIO	<p>2. Based on the outcome of the review conducted by the Steering Committee, approves the recommendation of the Solutions Review Team.</p> <p>Upon approval, requests the agency Policy and Rules Manager to update Policy ITS.01.01 Use of Electronic Signature & Submissions and list the approved solution in Appendix ITS.01.01.A1.</p>
Policy and Rules Manager	<p>3. Updates:</p> <ul style="list-style-type: none"> Appendix A: – Approved Electronic Signature Methods & Processes Table; Posts the updated appendix to the DES Laws, Rules and Policy internet page; and Provides a copy to the OCIO for posting to their website

Part D: Piloting the use of an Electronic Solution

About this part: This part lays out the activities necessary for a program to pilot the use of a specific solution for a specific transaction.

Summary of Tasks

Action By	Action
Program	<p>1. Before participating in any actions, reviews DES Policy ITS.01.01 Use of Electronic Signatures and Submissions and the OCIO Electronic Signature Guidelines.</p>
Program	<p>2. Identifies need (required or desired) for an electronic signature or submission method or process (solution) and submits a request to pilot the use of a solution for a specific transaction to their division head.</p> <p>The request shall include:</p> <ul style="list-style-type: none"> A description of the transaction; Any exceptions within that transaction which will not be performed by the solution. The program and/or the individual(s) will be authorized to use the solution.
Program's division head	<p>3. Decides if a need (required or desired) for a solution exists and if resources are available. If so, submits a request in writing (email is OK) for approval by the CIO.</p>

Action By	Action
The agency CIO, CFO, and the Asst. Director of Contracts, Procurement	4. Conducts a business triage and determines if putting a solution in place will likely: <ul style="list-style-type: none"> • Enhance the experience of our internal/external customers; • Provide efficiency benefits, and/or • Save costs of doing business (better, faster, cheaper) • Maintains strong internal controls
CIO	5. Approves or denies conducting a business analysis and risk assessment based on the outcome of the initial business triage.
Program	6. Conducts a business analysis and risk assessment consistent with the OCIO Electronic Signature Guidelines
	7. Pilots the resulting solution
	8. Upon conclusion, prepares a report for review by the agency CIO, CFO, and the Asst. Director of Contracts, Procurement, and Risk Management. The report shall speak specifically to the successes and failures of the pilot.
Agency CIO, CFO, and the head of statewide procurement and contracting	9. Reviews the Solutions Review Team recommendation and determines: <ul style="list-style-type: none"> • Was the overall outcome of the pilot successful? If so, • Was the level of risk presented acceptable? If so, • Does the solution fit within the agency's current technological architecture? If not, • Determines what can or should be changed within the existing architecture to allow for the use of the recommended solution. (What if the solution isn't viable at all? Do we have a decommissioning strategy?)
CIO	10. Based on the outcome of the preceding review, determines if changes to Policy ITS.01.01 Use of Electronic Signature & Submissions are needed. Requests the agency Policy and Rules Manager to update Policy ITS.01.01 Use of Electronic Signature & Submissions and list the approved solution in Appendix A.
Policy and Rules Manager	11. Updates: <ul style="list-style-type: none"> • Appendix A: – Approved Electronic Signature Methods & Processes Table; • Posts the updated appendix to DES internet Laws, Rules and Policy page; and • Provides a copy to the OCIO for posting to their website
Program	12. Before participating in any actions, reviews DES Policy ITS.01.01 Use of Electronic Signatures and Submissions and the OCIO Electronic Signature Guidelines .