

# Approval of Electronic Signature Solutions

<b>Applies To:</b>	Department of Enterprise Services employees participating in the approval, selection, acquisition, an implementation of an electronic signature solution.
<b>Information Contact:</b>	DES Chief Information Officer
<b>Effective Date:</b>	May 1, 2016
<b>Last Update:</b>	N/A
<b>Approved By:</b>	<hr style="width: 200px; margin-left: auto; margin-right: 0;"/> <div style="text-align: right; margin-right: 50px;">/s/ Chris Liu Director</div>

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**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 [Appendix A Electronic Signature Methods & Processes Table](#)).

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## 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?

Once these questions are answered, 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.

Action By	Action
Anyone participating in approval, selection, acquisition, and use of an electronic solution.	1. Before participating in any actions, reviews <a href="#">DES Policy ITS.01.01 Use of Electronic Signatures and Submissions</a> and the <a href="#">OCIO Electronic Signature Guidelines</a> .
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 agency Chief Information Officer (CIO) to their division head.  The request shall include: <ul style="list-style-type: none"> <li>▪ A description of the transaction;</li> <li>▪ Any exceptions within that transaction which will not be performed by the solution.</li> <li>▪ The program and/or the individual(s) which will be authorized to use the solution.</li> </ul>
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"> <li>▪ Enhance the experience of our internal/external customers;</li> <li>▪ Provide efficiency benefits, and/or</li> <li>▪ Save costs of doing business (better, faster, cheaper)</li> <li>▪ Maintain strong internal controls</li> </ul>
CIO	5. Approves or denies conducting a business analysis and risk assessment based on the outcome of the initial business triage.

## 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

Action By	Action
Steering Committee	<ol style="list-style-type: none"> <li>1. Using the information learned from the initial business triage in conjunction with the <a href="#">OCIO model risk assessment model</a> : <ul style="list-style-type: none"> <li>▪ Appropriately scales the business analysis and risk assessment to transaction risk based on the nature of the transaction and the level of risk that can be tolerated.</li> <li>▪ 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"> <li>○ IT Security</li> <li>○ Impacted business lines</li> <li>○ Finance</li> <li>○ Legal</li> <li>○ Procurement</li> <li>○ Risk Management</li> <li>○ Records Management</li> </ul> </li> </ul> </li> </ol>
Solution Review Team	<ol style="list-style-type: none"> <li>2. Submits a recommended solution to the Steering Team upon conclusion of the business analysis and risk assessment. <p>Includes the following in their recommendation:</p> <ul style="list-style-type: none"> <li>▪ The range of technological options commercial available.</li> <li>▪ A cost/benefit analysis which includes potential costs, quantifiable and unquantifiable, direct and indirect;</li> <li>▪ A plan for converting a traditional process to an electronic one;</li> <li>▪ A communication plan developed in consultation with the agency <a href="#">Communications Office</a></li> <li>▪ A review by the agency <a href="#">Records Officer</a>. The review must confirm that the recommended solution complies with agency records management requirements;</li> <li>▪ A legal review by the agency <a href="#">Office of Legal Services</a>. The legal review must verify that the recommended solution complies with applicable laws governing the creation and use of electronic signatures;</li> <li>▪ A policy review by the agency <a href="#">Policy and Rules Manager</a>. The policy and rule review shall 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.</li> </ul> </li> </ol>

## Part C: Approving an Electronic Solution

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

Action By	Action
Steering Committee	1. Reviews the Solutions Review Team recommendation and determines: <ol style="list-style-type: none"><li>If the level of risk presented is acceptable. If so,</li><li>Are resources are available to put a solution in place. If so,</li><li>Determine if the solution fits within the agency's current technological architecture. If not,</li><li>Determine what can or should be changed within the existing architecture to allow for the use of the recommended solution.</li></ol>
CIO	2. Based on the outcome of the review conducted by the Steering Committee, approves the recommendation of the Solutions Review Team.  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 A.
Policy and Rules Manager	3. Updates: <ul style="list-style-type: none"><li>Appendix A: – <a href="#">Approved Electronic Signature Methods &amp; Processes Table</a>;</li><li>Posts the updated appendix to DES internet <a href="#">Laws, Rules and Policy</a> page; and</li><li>Provides a copy to the <a href="#">OCIO</a> for posting to their website.</li></ul>

## 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.

Action By	Action
Program	1. Before participating in any actions, reviews DES Policy ITS.01.01 Use of Electronic Signatures and Submissions and the OCIO Electronic Signature Guidelines.
Program	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.  The request shall include: A description of the transaction; <ul style="list-style-type: none"><li>Any exceptions within that transaction which will not be performed by the solution.</li><li>The program and/or the individual(s) which will be authorized to use the solution.</li></ul>

Program's division head	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.
The agency CIO, CFO, and the Asst. Director of Contracts, Procurement and Risk Management	4. Conducts a business triage and determines if putting a solution in place will likely: <ul style="list-style-type: none"> <li>▪ Enhance the experience of our internal/external customers;</li> <li>▪ Provide efficiency benefits, and/or</li> <li>▪ Save costs of doing business (better, faster, cheaper)</li> <li>▪ Maintains strong internal controls</li> </ul>
CIO	6. Approves or denies conducting a business analysis and risk assessment based on the outcome of the initial business triage.
Program	7. Conducts a business analysis and risk assessment consistent with the OCIO Electronic Signature Guidelines.
	8. Pilots the resulting solution.
	9. 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	10. Reviews the Solutions Review Team recommendation and determines: <ol style="list-style-type: none"> <li>a. Was the overall outcome of the pilot successful? If so,</li> <li>b. Was the level of risk presented acceptable? If so,</li> <li>c. Does the solution fit within the agency's current technological architecture? If not,</li> <li>d. 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? FP)</li> </ol>
CIO	11. 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	4. Updates: <ul style="list-style-type: none"> <li>▪ Appendix A: – <a href="#">Approved Electronic Signature Methods &amp; Processes Table</a>;</li> <li>▪ Posts the updated appendix to DES internet <a href="#">Laws, Rules and Policy</a> page; and</li> <li>▪ Provides a copy to the <a href="#">OCIO</a> for posting to their website..</li> </ul>