

Public Assistance Applications—Telephonic Signatures; Sub. for Sub. for SB 95

Sub. for Sub. for SB 95 amends law for public assistance programs concerning telephonic signatures.

The bill requires a telephonic signature by an applicant or an applicant's authorized representative be accepted to fulfill any signature requirement for application for public assistance programs administered by the Secretary for Children and Families (Secretary). The bill makes a telephonic signature an option for applicants, not a requirement. A telephonic signature constitutes a valid and legal signature and shall be defined to mean a recording of the verbal assent of an individual to submit an application for public assistance to the Secretary over a telephone system and the information to which assent has been given. A telephonic signature shall not be denied legal effect or enforceability solely because the signature is telephonic.

The bill requires the Secretary to enter into a memorandum of understanding with a not-for-profit organization that is willing and able to collect and store telephonic signatures on behalf of an applicant. The memorandum shall include the requirements for collecting and storing a telephonic signature, to provide for access to such signatures by the Department for Children and Families (DCF), and require, prior to the adoption of rules and regulations, the Secretary to accept any telephonic signature that is submitted in accordance with the memorandum. The bill requires the Secretary to adopt rules and regulations prior to January 1, 2018, to establish requirements and procedures for telephonic signatures.

The bill requires any vendor or organization to indemnify the Secretary and DCF against any legal actions and damages from, but not limited to, a breach of software or storage security that allows an unauthorized person to obtain a telephonic signature, application, or other information.

On or before July 1, 2018, DCF is required to develop the capability to accept, record, and produce telephonic signatures in electronic audio file formats that are submitted with an online application and securely store telephonic signatures in electronic audio file formats together with applications stored within DCF or enter into an agreement with a vendor to meet these requirements.

If DCF enters into an agreement with a vendor to develop the capability to accept, record, and produce telephonic signatures, the bill requires the agreement to include the following:

- Requirements for accepting, recording, producing, and securing telephonic signatures; and
- Requirements for the vendor to secure the recorded electronic audio files in such a manner that no person has access to the telephonic signatures or applications other than DCF and the vendor.

If DCF enters into an agreement with a vendor to develop the capability to securely store telephonic signatures on electronic audio file formats together with the applications stored within DCF, the bill requires the agreement to include the following:

- Requirements for the vendor to provide full access to the electronic audio files to DCF and limited access to the vendor; and
- Requirements for securing the electronic audio files, ensuring the files are maintained to prevent access by any person other than DCF and the vendor.