
SENATE BILL 5197

State of Washington

61st Legislature

2009 Regular Session

By Senators Marr, Keiser, Franklin, Kohl-Welles, and McDermott; by request of Health Care Authority and Department of Social and Health Services

Read first time 01/16/09. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to permitting electronic signatures on applications
2 for public assistance and for benefits administered by the health care
3 authority; amending RCW 74.08.055; and adding a new section to chapter
4 41.05 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 74.08.055 and 2003 c 53 s 366 are each amended to read
7 as follows:

8 (1) Each applicant for or recipient of public assistance shall
9 ~~((make an))~~ complete and sign a physical application or, if available,
10 electronic application for assistance which shall contain or be
11 verified by a written declaration that it is ~~((made))~~ signed under the
12 penalties of perjury. The department may make electronic applications
13 available. The secretary, by rule and regulation, may require that any
14 other forms filled out by applicants or recipients of public assistance
15 shall contain or be verified by a written declaration that it is made
16 under the penalties of perjury and such declaration shall be in lieu of
17 any oath otherwise required, and each applicant shall be so informed at
18 the time of the signing. The application and signature verification
19 shall be in accordance with federal requirements for that program.

1 (2) Any applicant for or recipient of public assistance who
2 willfully makes and (~~(subscribes)~~) signs any application, statement
3 (~~(or)~~), other paper, or electronic record which contains or is verified
4 by a written declaration that it is made under the penalties of perjury
5 and which he or she does not believe to be true and correct as to every
6 material matter is guilty of a class B felony punishable according to
7 chapter 9A.20 RCW.

8 (3) As used in this section:

9 (a) "Electronic record" means a record generated, communicated,
10 received, or stored by electronic means for use in an information
11 system or for transmission from one information system to another.

12 (b) "Electronic signature" means a signature in electronic form
13 attached to or logically associated with an electronic record
14 including, but not limited to, a digital signature. An electronic
15 signature is a paperless way to sign a document using an electronic
16 sound, symbol, or process, attached to or logically associated with a
17 record and executed or adopted by a person with the intent to sign the
18 record.

19 (c) "Sign" includes signing by physical signature, if available, or
20 electronic signature. An application must contain a signature in
21 either physical or, if available, electronic form.

22 NEW SECTION. Sec. 2. A new section is added to chapter 41.05 RCW
23 to read as follows:

24 (1) The administrator may require applications, enrollment forms,
25 and eligibility certification documents for benefits that are
26 administered by the authority under this chapter and chapters 70.47 and
27 70.47A RCW to be signed by the person submitting them. The
28 administrator may accept electronic signatures.

29 (2) For the purpose of this section, "electronic signature" means
30 a signature in electronic form attached to or logically associated with
31 an electronic record including, but not limited to, a digital
32 signature.

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