

Section 1.15: Electronic Signatures

3/2024

References: MN Statutes, section [325L.18](#)

Policy: A WIC participant or their authorized representative may use an electronic signature to sign forms necessary for participation in the WIC Program.

Purpose: To identify acceptable methods for electronic signatures.

Procedures

Acceptable methods for electronic signatures include:

- A handwritten signature, mark, or command input on a display screen or an electronic signature pad (e.g., the signature pad used with the Minnesota WIC Information System).
- An electronic signature captured by a software product (e.g., DocuSign, REDCap) that complies with the requirements of the [Electronic Signatures in Global and National Commerce Act](#) (E-Sign Act), submitted with a completion certificate, audit record, or similar audit trail document.¹
- A digitized image of a handwritten signature transmitted electronically, such as by fax, email, or text message (e.g., a fax from a health care provider with their handwritten signature).
- A unique identifier (e.g., a code, password, or PIN).
- A form with a completed attestation and either a typed name or checked box indicating a signature.
 - **Example language for Attestation:**
 - By checking “I agree,” I understand that I am electronically signing this form. I attest and certify that the information provided is true and accurate. I understand that my electronic signature has the same legal effect and can be enforced in the same way as a handwritten signature. ([Minn. Stat. Ch. 325L.07](#))

I agree

¹ Minnesota Department of Health permits the use of technology products that meet these requirements and do not endorse any specific product.

- By typing my name in the signature field, I understand that I am electronically signing this form. I attest and certify that the information provided is true and accurate. I understand that my electronic signature has the same legal effect and can be enforced in the same way as a handwritten signature. (Minn. Stat. Ch. 325L.07)

Criteria for Acceptance of Electronic Signatures

1. **The signer's intent to sign a specific form is clear.** If the electronic signature is on the specific form or submitted with the form, this criterion is met. For a signature submitted apart from a form, the signer must include a short statement with the date of the signature, such as "I understand that I am signing [form name] and I agree to all the terms and conditions of the form."
2. **The electronic signature must be logically associated with or attached to the form.** It must be clear that the signature is connected to a specific form. An electronic signature that is physically received by the agency on a form or submitted with the form meets these criteria. If a signature is not received on a form or submitted with the form, a written statement of intent, described in the first bullet, is needed to logically associate a signature with a form.
3. **The electronic signature must provide a way to identify the signer.** It must be clear who electronically signed the form. A legible handwritten signature transmitted electronically meets these criteria. A typed or handwritten name with a signature (legible or not) also satisfies this requirement.
4. **The electronic signature must not be modifiable.** The signature must be received in a form that is tamper-proof so the signature cannot be modified (e.g., DocuSign).

An electronic signature gathered via software that complies with the Electronic Signatures in Global and National Commerce Act (E-Sign Act), submitted with a certificate of completion, audit record or similar audit trail document meets these criteria, and therefore fulfills the signature requirement on certification and recertification documents, and other eligibility forms (e.g., DocuSign, REDCap).

Unacceptable electronic signatures

These include, but are not limited to, the following:

- An image of a handwritten signature that is placed on a form by digitally copying and pasting it into the document.
- A typed name created by selecting a script or calligraphy font or any other font that has not been authenticated through electronic signature software. A signature gathered via electronic software that is not accompanied by a certificate of completion, audit record or audit trail.

Guidance

Local WIC Agency procedures for available signature platforms:

- [Local Agency Guidance for Implementing DocuSign](#)
- [Guidance - Participant Signature Form](#), REDCap multiple form option guidance

Reference – Complete Listing of Hyperlinks

[325L.18](https://www.revisor.mn.gov/statutes/cite/325L.18) (<https://www.revisor.mn.gov/statutes/cite/325L.18>)

[Electronic Signatures in Global and National Commerce Act](https://www.fdic.gov/resources/supervision-and-examinations/consumer-compliance-examination-manual/documents/10/x-3-1.pdf)
(<https://www.fdic.gov/resources/supervision-and-examinations/consumer-compliance-examination-manual/documents/10/x-3-1.pdf>)

[Minn. Stat. Ch. 325L.07](https://www.revisor.mn.gov/statutes/cite/325L.07) (<https://www.revisor.mn.gov/statutes/cite/325L.07>)

[Local Agency Guidance for Implementing DocuSign](https://www.health.state.mn.us/docs/people/wic/localagency/docusign.pdf)
(<https://www.health.state.mn.us/docs/people/wic/localagency/docusign.pdf>)

[Guidance - Participant Signature Form](https://www.health.state.mn.us/people/wic/localagency/pptsigform.html)
(<https://www.health.state.mn.us/people/wic/localagency/pptsigform.html>)

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