



ASSURANCE STATEMENT

Assurance to adhere to electronic record keeping requirements as required by Minnesota Rules, part 9530.6440, subpart 4. A license holder who intends to use electronic record keeping or electronic signatures to comply with parts 9530.6405 to 9530.6505 must first obtain written permission from the Commissioner.

All programs that choose to use electronic record keeping, defined as the temporary or permanent storage of any portion of records by electronic means including but not limited to storage on a computer's hard drive, a computer network or centralized server, flash drive, removable storage device, CD, floppy disc, tape, or any other electronic method or electronic signatures must complete and sign the following assurance statement and return to:

Minnesota Department of Human Services
Division of Licensing
MH/CD Unit
PO Box 64242
St. Paul, MN 55164-0242.

I, _____, as the authorized representative for:

Printed Name and Title

Program Name: _____ License Number: _____

Address: _____

hereby agree that the above named program, all electronic record keeping systems and devices, and all individuals involved in the use of electronic record keeping systems and devices will:

- A. Maintain compliance with Code of Federal Regulation, title 42, chapter 1 part 2, subpart B, sections 2.1 to 2.67, and Code of Federal Regulations title 45, parts 160 to 164;
- B. Maintain compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA);
- C. Maintain compliance with Minnesota Statutes, section 254A.09 and Minnesota Statutes, chapter 13;
- D. Implement and maintain a storage system and backup storage schedule protocol that will guarantee data integrity and will ensure that record retention is in compliance with Minnesota Rules, part 9530.6440, subpart 2;
- E. Use a secure system of user access that will prevent unauthorized access to electronic records, the electronic record keeping system's passwords, and other user specific access devices. This system will protect against loss, tampering or unauthorized disclosure in compliance with the state and federal regulations indicated above;
- F. Allow for access of all electronic record keeping systems in compliance with Minnesota Statutes section 245A.04, subdivision 5 and Minnesota Rules, part 9530.6440, subpart 1;
- G. Utilize all of the following authentication features if hard copies of documents are not immediately printed and signed after completion of the document:
 - 1. time and date stamps that cannot be altered and that are integrated into all entries in the client files;
 - 2. electronic signatures that are staff member specific and can only be initiated by that specific staff member or are created using a signature pad that replicates a staff person's written signature on the electronically stored document; and
 - 3. electronic client signatures that are signed using an electronic signature pad that replicates the client's signature on the electronically stored document; and
- H. Allow access only to those individuals that require the access to perform their specific duties.

I certify that I have reviewed each federal requirement, state requirement, and additional statements indicated above and agree that all uses of electronic record keeping and electronic transmission at: _____ (name of program) are in compliance with these and any other applicable requirements.

Signature

Date

For DHS use only below this line

Use of electronic recordkeeping or electronic signatures does not alter the license holder's obligations under state or federal law, regulation or rule. Permission to use electronic recordkeeping and/or electronic signatures is **granted**.

Signature

Date

Permission to use electronic recordkeeping and/or electronic signatures is **denied**.

Signature

Date