

# INFORMATION BULLETIN

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Division of Drug and Alcohol Program Licensure  
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## **ELECTRONIC RECORD KEEPING AND THE USE OF ELECTRONIC SIGNATURES**

Many of the facilities holding licenses or certificates of compliance, as well as certificates of approval to provide narcotic treatment services have converted to and/or are in the process of converting from hardcopy client and patient records to electronic records. Some facilities which have already converted to electronic record keeping continue to maintain some hard copy records in order to meet the Department's regulatory requirements relative to the need to record client/patient signatures and physician signatures on certain documents. The Department is involved in an ongoing process to eliminate duplicative record keeping throughout the drug and alcohol treatment system. This information bulletin defines the Department's expectations for electronic recordkeeping and the use of electronic signatures in lieu of pen and ink signatures and applies to all facilities holding licenses, certificates of compliance and/or certificates of approval in relation to the following chapters:

- **28 Pa. Code Chapter 709 – Standards for Licensure of Free Standing Treatment Activities**
- **28 Pa. Code Chapter 710 – General and Special Hospitals**
- **28 Pa. Code Chapter 711 – Standards for Certification of Treatment Activities Which Are a Part of a Health Care Facility**

### **Electronic Recordkeeping Procedural Requirements**

Facilities intending to utilize electronic recordkeeping must comply with the following stipulations:

1. In accordance with 28 Pa. Code § 709.15 – Right to Enter and Inspect – the electronic record must be immediately accessible to all DDAP staff who are at the licensed facility.
2. The security of the electronic records must continue to be consistent with the federal requirements at 42 CFR Part 2, Subparts A through E and HIPAA as well as the Commonwealth's requirements found at 71 P.S. § 1690.108(b); 4 Pa. Code § 255.5; 28 Pa. Code §§ 709.28; 710.23 (b); 711.43(d); 711.53(c); 711.62 (c); 711.72 (c); 711.83 (c); and 711.93 (c).

3. The facility must have the ability to produce paper copies of records for the Department or other authorized agencies.
4. The electronic recordkeeping system must include a tracking program that captures and reports on any and every deletion, any and every change or manipulation of documents; and that records the original and altered versions, the dates of creation and the name of the person creating the documents.
5. Facilities must submit to the department and maintain current policy and procedure addressing the **electronic signature system**. The procedures need to express how the signature will be affixed by the individual to whom it pertains and whether it is applied using an electronic signature pad or a signature code (digital signature) for that individual. The policy must describe how signature codes are assigned to individuals and how those codes can be used only by the person to whom the code is assigned.
6. Facilities must ensure that electronic signatures are attached to the applicable document. A signature of any form that is on a blank page, even when attached to a document, will not be viewed as acceptable.
7. The facility must notify the department of any changes to the approved policy.

**ALL POLICIES AND PROCEDURES ARE SUBJECT TO DEPARTMENT REVIEW AND APPROVAL.**

Facilities will be responsible for meeting any additional requirements set by other entities. This information bulletin does not excuse a facility from meeting other agency expectations regarding electronic recordkeeping, but in all cases regarding questions of client/patient confidentiality, those state and/or federal regulations which are most protective of the client/patient's privacy will apply.

**SCA'S ARE RESPONSIBLE FOR DISTRUBUTING THIS INFORMATION BULLETIN TO PROJECTS/FACILITIES IN THEIR JURISDICTION**

Questions regarding this Information Bulletin may be directed to the Division of Drug and Alcohol Program Licensure at 717-783-8675.