ACT eSignature Work Group –
Training & Troubleshooting Guide

eSignatures
BEST PRACTICES
& INDUSTRY RECOMMENDATIONS
ACT eSignatures Work Group
act.

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Purpose Statement
Provide documentation for carrier and agency guidelines in consideration, implementation and workflow of eSignature products.

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Goal
Provide solution document for use by vendors, agents, and carriers.

Assumptions: *Agencies, Carriers and Vendors mandate and only support the use and adoption of eSignature products that meet the ESIGN and UETA guidelines.*

The Federal Electronic Signatures in Global and National Commerce Act (ESIGN) and the state Uniform Electronic Transactions Act (UETA) give legal recognition for electronic signatures and records to satisfy the "in writing" legal requirements for transactions, including disclosures, and permit companies to satisfy statutory record retention requirements solely through the use of electronic records. Both ESIGN and UETA require a person's consent to conduct business electronically.

Products will need the minimum standard of:
- Allow both sender and recipient to sign documents on a variety of devices and operating systems.
- Encrypt and secure communications and shared documents between users.
- Track document status and notify users when actions are required.
- Enable user to define user roles and permission rights both internally as well as for external users.
- Offer built-in documentation creation and storage capabilities or integrate with third-party software solutions that provide document creation or storage features.

Considerations

Vendors:
- **Products**
  It is suggested that Vendors position their software for inclusion of all eSignature products that meet the Federal ESIGN and UETA guidelines.

- **Integration**
  It is suggested that Vendors position their software for complete integration in their products of all stages of the eSignature process. This would include but not be limited to capture of:
  - Recipients
  - Inventory of unsigned documents transmitted

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- o IP addresses
- o Resend of documents
- o Signed documents
- o "Voided" envelopes
- o Certification

Carriers
- **Products**
  - o It is suggested that carrier position their software for inclusion of all eSignature products that meet the Federal ESIGN and UETA guidelines.

  - o It is suggested that carrier accept documentation from carrier implementations as well as agency implementations.

- **Integration**
  - o It is suggested that carrier implementations be integrated within the carrier websites but also provide a solution for document "save" to allow agencies to use the data files in agency implementation.
- **Ownership**
  - o It is suggested that carrier implementation automatically deliver signed documents to the agency for retention purposes upon signature.

Agents
- **Products**
  - o It is suggested that agency position their software choice for inclusion of all eSignature products that meet the Federal ESIGN and UETA guidelines.

  - o Product implementation allows agency to size implementation to agency users' needs rather than one-size fits all implementation.

- **Integration**
  - o It is suggested that best implementation is originated from the agency management (Vendor) system, with full automated eSign life cycle storage.

- **Ownership**
  - o As per agency / carrier contracts document retention is mandated.   Best practice returns all documentation to the agency management system (Vendor) system upon signature.

Preparation

- **Evaluation of Need**
  - o Evaluation of need may include the following:
    - External "customer" need
    - External "contract/vendor" need
    - External "carrier documentation" need

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- Internal "employee documentation" need
- Current life cycle of signed documents
- Potential life cycle of signed documents with implementation of e-signature solution
- Pricing
- Integration partnership opportunities
- Carrier adoption

- **Evaluation of Product**
  - **Evaluation of product may include the following:**
    - One-click requests
    - Automated reminders
    - Finish return faster
    - Online storage
    - Enterprise solution benefits needs (ability to see implementation envelopes across business, department, divisions)
    - Training assistance/resource availability
- **Carrier Adoption**
  - **Evaluation of current carrier adoption**
    - New business acceptance
    - Property & Casualty solution adoption
    - Life & Health solution adoption
    - Endorsement and renewal acceptance
    - Company internal implementation

- **Agency Solution Availability**
  - **Option 1 – Agency Selected/Enrolled Service**
    - **Product Selection**
      - **Evaluation complete**
        - Product evaluation complete
        - Product purchase
          - Product user enrollment
    - **Implementation**
      - **Internal (Agency facing) training**
        - Create/provide internal user workflows (either by agency or service provider)
          - Define, provide clarification/solution to potential problematic areas
      - **External (Customer facing) training**
        - Create/provide external user (recipient/signer) workflows (either by agency or service provider)
          - Define, provide clarification/solution to potential problematic areas
    - **Carrier communication and Vendor communication**
      - Establish coordination, if necessary between business partners.

  - **Option 2 – Carrier-Side Product/Service**
    - **Implementation**

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- **Internal (Agency facing) training**
    - Carrier provided internal user workflows
        - Define, provide clarification/solution to potential problematic areas
- **External (Customer facing) training**
    - Carrier provided external user (recipient/signer) workflows
        - Define, provide clarification/solution to potential problematic areas

- **Carrier communication and Vendor communication**
    - Establish coordination, if necessary between business partners.

Implementation

Workflow:
Option 1 *(Agency Selected/Enrolled Service)*:
- Documents (created, received) … via company website, rating software, AMS (form letters, downloaded carrier docs, previously attached docs, etc.), email/fax, etc.
- Gather all documents for eSignature documents
- Initiate eSignature product
- Update document envelope with any agency "templates" stored within the eSignature product
- Assign any signature tabs or data tabs within the eSignature product
- Review the envelope for completeness
- Send eSignature envelope from eSignature product
    - (assumes best practice that documentation of send is documented within the agency management system)
- (1) – Envelope ages via eSign system
    - (2) Resend via eSignature product
        - (assumes best practice that documentation of send is documented within the agency management system)
- (2) – Signature completed
        - (assumes best practice that documentation of send is documented within the agency management system)
- Determine/implement standard filing method for documentation purposes, future retrieval.

Option 2 *(Utilizing Carrier Product/Service)*:
- Documents (created, received) … via company website
- Initiate eSignature product
- Update document envelope with any agency "templates" stored within the eSignature product
- Assign any signature tabs or data tabs within the eSignature product
- Review the envelope for completeness
- Send eSignature envelope from eSignature product
    - (assumes best practice that documentation of send is documented within the agency management system)
- (1) – Envelope ages via eSign system

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- o (2) Resend via eSignature product
    - (assumes best practice that documentation of send is documented within the agency management system)
- o (2) – Signature completed
    - (assumes best practice that documentation of send is documented within the agency management system)
- o Determine/implement standard filing method for documentation purposes, future retrieval.

References

- Uniform Law Commission
    - o http://uniformlaws.org/Act.aspx?title=Electronic%20Transactions%20Act
- Electronic Signature in Global and National Commerce Act
    - o https://www.gpo.gov/fdsys/pkg/PLAW-106publ229/html/PLAW-106publ229.htm
- Electronic Signatures and Records
    - o https://esignrecords.org/
- Standards and Procedures for Electronic Records and Signatures (SPeRS)
    - o http://www.spers.org/
- Carrier implementations
    - o http://www.independentagent.com/Resources/AgencyManagement/ACT/SiteAssets/Pages/efficient/Paperless/IA%20Carriers%20Accepting%20eSginatures/ACT%20-%20IA%20Carriers%20Accepting%20eSignatures%20-%202016Jul29.pdf
- Agents Council for Technology (act)
    - o http://www.independentagent.com/resources/AgencyManagement/ACT/Pages/default.aspx
- Vendor documentation
    - https://www.docusign.com/faq
    - http://insuresign.com/how-it-works/
    - https://assuresign.tenderapp.com/kb/assuresign-terms
    - https://www.esignlive.com/electronic-signature-faq/

For much more background and resources on eSignature, visit the ACT eSignature webpage.

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