



MASON COUNTY PUBLIC HOSPITAL DISTRICT No.2

RESOLUTION 2021-0001

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MASON COUNTY PUBLIC HOSPITAL DISTRICT NO. 2 AUTHORIZING THE USE OF ELECTRONIC, DIGITAL, OR FACSIMILE SIGNATURES FOR MASON COUNTY PUBLIC HOSPITAL DISTRICT #2 ; AND ADOPTING AN ELECTRONIC SIGNATURE POLICY.

WHEREAS Mason County Public Hospital District No. 2 (the "District") is a special purpose district and municipal corporation organized and governed by Title 70.44 RCW; and

WHEREAS, in Chapter 19.360 RCW, the Washington State Legislature, to the extent not already authorized by federal or state law, authorized electronic dealings for governmental affairs and established the implementation framework for electronic governmental affairs and governmental transactions; and

WHEREAS, in March 2020, through Engrossed Substitute Senate Bill 6028 ("ESSB 6028"), the Washington State Legislature repealed Chapter 19.360 RCW and adopted the Uniform Electronic Transactions Act, which is intended to facilitate use of electronic transactions consistent with other applicable law, and to bring consistency to reasonable practices concerning electronic transactions and with the continued expansion of those practices; and

WHEREAS, ESSB 6028 took effect on June 11, 2020; and

WHEREAS, ESSB 6028 provides that "[a] record or signature may not be denied legal effect or enforceability solely because it is in electronic form; a contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation; if a law requires a record to be in writing, an electronic record satisfies the law; and if a law requires a signature, an electronic signature satisfies the law"; and

WHEREAS, the method and process for electronic submissions and the use of electronic signatures must be established by ordinance, resolution, policy, or rule; and

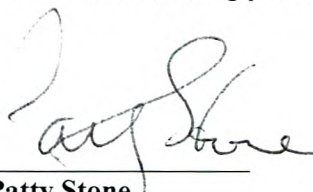
WHEREAS, to promote social distancing during the COVID-19 pandemic, and to increase the effectiveness and efficiency of the Mason County Public Hospital District business processes, the district desires to leverage technology solutions which are in compliance with the Uniform Electronic Transactions Act to apply electronic signatures to legally enforceable electronic records as allowed by ESSB 6028.

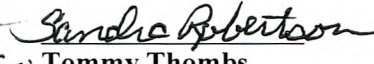


THEREFORE, THE BOARD OF COMMISSIONERS OF MASON COUNTY PUBLIC HOSPITAL DISTRICT NO. 2 hereby resolves:

- 1) Board resolutions, meeting minutes, voucher cover sheets, and such other District documents which require Commissioner or Superintendent signatures may be signed with digital, electronic, or facsimile signature or signed in the following manner when authorized by the respective signee Commissioner or Superintendent: /s/ (name).
- 2) The Commissioners or Superintendent may authorize another individual to sign on their behalf. The Commissioners or Superintendent may provide phone, teleconference, or email authorization for a different individual to sign the records described in above item 2. To accomplish this, the individual who has been authorized to sign on behalf of the Commissioner or Superintendent would document both how the individual was authorized (ex. Via email, phone, teleconference) and the date on which this request took place. The Authorized signee would then write the following on the signature line. [Authorized Signee's signature] for [printed name of Commissioner or Superintendent] by [email, phone, teleconference] authorization on [date authorized].
- 3) The Board of Commissioners herby adopts the Electronic and Digital Signature Policy attached hereto as Exhibit "A".
- 4) This Resolution shall take effect and be in force immediately upon its passage and remain in effect until revoked by the Board via Resolution.

APPROVED AND ADOPTED by the Board of Commissioners of Mason County Public Hospital District No. 2, at a regular open public meeting on this 23rd day of February 2021, the following Commissioners being present and voting:


 Patty Stone
 Position 1
 Commissioner


 For: Tommy Thombs
 Position 2
 Commissioner
 by teleconference
 authorization
 2-23-2021


 Peggy VanBuskirk
 Position 3
 Commissioner & Board President


 For: Kaye Massie
 Position 4
 Commissioner
 by teleconference
 authorization
 2-23-2021

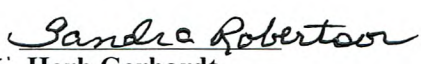

 For: Herb Gerhardt
 Position 5
 Commissioner
 by teleconference
 authorization 2-23-2021



EXHIBIT A
MASON COUNTY PUBLIC HOSPITAL DISTRICT #2
Electronic Signature Policy

State law has codified the authority to execute documents remotely. Streamlining processes that require wet signatures and replacing them with electronic signatures, when practicable, is consistent with the intent of State law to promote electronic transactions and remove barriers that might prevent the use of electronic transactions by governmental entities.

PURPOSE:

The intent of this policy is to establish a policy to allow for the acceptance and submission of electronic and digital signatures.

SCOPE:

All Authorized Signers for MASON COUNTY PUBLIC HOSPITAL DISTRICT #2.

DEFINITIONS:

Authorized Signer:

The elected Commissioners, District Superintendent

Digital Signature:

One type of electronic signature that contains a digital certificate, issued by a licensed certificate authority, behind the signature and offers authentication when sending a "signed" electronic document.

Electronic Record: A record created, generated, sent, communicated, received, or stored by electronic means.

Electronic Signature: An electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Facsimile Signature: A reproduction of a handwritten signature that has been saved electronically or by engraving, imprinting, or stamping.

POLICY:

1. Pursuant to Resolution 2021-0001, the District authorizes electronic transactions and the use of electronic, digital, or facsimile signatures in accordance with this Policy

2. A District document that is required by law to be signed in non-electronic media may not be electronically or digitally signed.

3. An electronic, digital, or facsimile signature is an acceptable substitute for a wet signature on records requiring the signature of any record whenever the use of a wet signature is authorized or required, except as provided herein.

4. A document signed electronically, digitally or via facsimile shall be deemed the equivalent of an original signed document if the individual or entity signing the document has complied with the provisions of this Policy.

5. This Policy in no way affects the District's ability to conduct a transaction using a physical medium and shall not be construed as a prohibition on the use of wet signatures.



PROCEDURE

A. Authorization for Use of Electronic Transactions and Electronic, Digital, and Facsimile Signatures

1. Authorized Signers are authorized to sign records using a facsimile signature or via an electronic signature platform to affix electronic or digital signatures to District records as provided in this Policy.

2. Authorized Signers may affix electronic, digital, facsimile signatures or signed in the following manner when authorized by the respective signee Commissioner or Superintendent : /s/ (name) to the following records:

Minutes of all District meetings, Resolutions and Ordinances adopted by the District's Board of Commissioners, Accounts Payable records (including but not limited to invoices, vouchers, and expenditure approvals), any and all Contracts and Agreements to which the District is a party, and such other District documents which require Commissioner or Superintendent signature.

3. The Commissioners or Superintendent may authorize another individual to sign on their behalf. The Commissioners or Superintendent may provide phone, teleconference, or email authorization for a different individual to sign the records described in above item 2. To accomplish this, the individual who has been authorized to sign on behalf of the Commissioner or Superintendent would document both how the individual was authorized (ex. Via email, phone, teleconference) and the date on which this request took place. The Authorized signee would then write the following on the signature line. [Authorized Signee's signature] for [printed name of Commissioner or Superintendent] by [email, phone, teleconference] authorization on [date authorized].

B. Security of Electronic Transactions and Electronic, Digital, and Facsimile Signatures

1. Authorized Signers may sign District documents digitally if such an option is available.

2. Records signed by an Authorized Signer shall use their own facsimile, electronic or digital signature.

3. Authorization to use or accept facsimile signatures shall be limited to instances where the authenticity of the signatures is deemed reliable and secure. In order to accept a facsimile signature in lieu of a wet signature, the authenticity of the facsimile signature must be verified by the receiving party.

C. Transmission and Storage of Electronic Transactions and Signatures

1. Electronic, facsimile, or digital signed electronic records shall be stored in such a way as to ensure their preservation, disposition, integrity, security, confidentiality, and auditability.

2. Electronic records shall only be transmitted via secure services including, but not limited to, email, drop box, and cloud-based digital signature platforms.