



STATE OF MICHIGAN

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GOVERNOR

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

ELIZABETH HERTEL
DIRECTOR

IV-D MEMORANDUM 2023-001

TO: All IV-D Staff*

FROM: Erin P. Frisch, Director
Office of Child Support (OCS)

DATE: January 6, 2023

SUBJECT: Rescission of Temporary Policy Allowing IV-D Staff to Email
Unencrypted Documents to Case Participants for eSignature

ACTION DUE: None

POLICY EFFECTIVE DATE: February 3, 2023

PURPOSE:

The Michigan IV-D Program is discontinuing its temporary policy to allow IV-D staff to email unencrypted documents to case participants for electronic signature (eSignature) under certain conditions. The policy will be discontinued on February 3, 2023.

This IV-D Memorandum obsoletes policy in Section F, "Emailing Documents for eSignature" in [IV-D Memorandum 2021-005, Options for Electronic Signatures and Introduction of OneSpan Sign Software](#). IV-D Memorandum 2021-005 will remain available on mi-support until it is obsoleted in full by a future update to eSignature policy.

DISCUSSION:

Background

Due to the restrictions of the COVID-19 pandemic and the need for social distancing, the Michigan IV-D Program implemented many policies and procedures to serve families remotely. In March 2021, OCS issued IV-D Memorandum 2021-005, which introduced the use of OneSpan Sign eSignature software and discussed other acceptable methods for obtaining eSignatures from case participants. OCS temporarily relaxed its IV-D email encryption policy to allow IV-D staff to obtain eSignatures from case participants via unencrypted emails. OCS permitted IV-D staff to email an

<p>UPDATE(S):</p> <p><input type="checkbox"/> Manual</p> <p><input type="checkbox"/> Form(s)</p>

unencrypted document to a parent if no other eSignature methods were viable and the following conditions were met:

- The parent consented to receive the document by email;
- The document to be signed was required to be filed with the court, would be publicly available in a court's records, and did not contain the following confidential information:¹
 - Social Security number or state-issued identification number;
 - Driver's license number or state-issued identification number;
 - Passport number; and/or
 - Financial account numbers.

If a document contained information as described above, state tax information, or federal tax information,² IV-D staff were required to encrypt it pursuant to Section 1.10 of the *Michigan IV-D Child Support Manual*. IV-D staff were also allowed to use software features to restrict tampering with an emailed document(s).³

OCS made this option available to IV-D offices to provide flexibility during the pandemic. However, offices were encouraged to transition from it as soon as practical.

Rescission of Policy Allowing Parent eSignatures Via Unencrypted Email

After consulting with attorneys from the Michigan Department of Health and Human Services (MDHHS), OCS decided to discontinue its policy to allow IV-D staff to email unencrypted documents to case participants for signature. Unencrypted email is not considered a secure method for sharing sensitive IV-D case information, and it conflicts with IV-D, DTMB,⁴ and MDHHS policies. The policy in Section F of IV-D Memorandum 2021-005 was intended to be a temporary solution. Restrictions resulting from the pandemic have now been significantly reduced, and IV-D offices are open and operating.

In addition, OCS implemented OneSpan Sign software in the spring of 2021, and IV-D offices have been using it for eSignatures since that time. OneSpan Sign has become a successful, predictable, and trusted method for obtaining eSignatures.

IV-D staff must continue to follow confidentiality and security requirements for using email as described in Subsection 8.1, "Emailing Confidential IV-D Information," in Section 1.10 of the *Michigan IV-D Child Support Manual*.

¹ The list was not all-inclusive of confidential information as explained in [Section 1.10, "Confidentiality/Security," of the Michigan IV-D Child Support Manual](#). However, for purposes of granting temporary permission to email materials without encryption during the pandemic, only particular information was prohibited.

² Ref: Section 1.10 of the *Michigan IV-D Child Support Manual* for a definition of federal tax information.

³ For example, IV-D staff could use features in Microsoft Word to restrict editing in documents and protect them from being modified.

⁴ DTMB is the Department of Technology, Management & Budget.

OCS will continue to work with its partners to identify safe and effective electronic delivery methods such as OneSpan Sign and the MiCase *Ask a Question* feature.⁵ In addition, OCS will explore other options for the secure delivery of electronic information and electronic requests.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. This IV-D Memorandum obsoletes Section F, "Emailing Documents for eSignature," in IV-D Memorandum 2021-005.

REVIEW PARTICIPANTS:

Establishment Work Improvement Team
Program Leadership Group

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DTMB Records Management Services

SUPPORTING REFERENCES:

Federal
None

State
Michigan Compiled Law (MCL) 450.838(3)

ATTACHMENTS:

None

EPF/SLM

* Ref: the [Michigan IV-D Child Support Manual Introduction and Table of Contents](#) for a definition of IV-D staff.

⁵ Ref: [Section 1.35, "MiChildSupport Portal," of the Michigan IV-D Child Support Manual](#) for information on the MiCase *Ask a Question* feature.