

PRIVATE & CONFIDENTIAL

FAO: All General Dental Practitioners

Web Site:
<http://www.hscboard.hscni.net/>

14th May 2019

Dear Colleague,

Use of Electronic Patient Signatures

On the 10th October 2016 the General Dental Service Regulations (NI) were amended to allow dentists to keep all practice records in an electronic format. This includes the electronic signature of a patients who may sign an HS45 or 45PR (EDI) form digitally on an iPad/tablet at initial registration and at subsequent attendances with their dentist.

The electronic patient signature is the patient's confirmation of the treatment they receive and their declaration of their NHS exemption status. All treatments must therefore have a corresponding patient signature and this should be stored in the patient record within the dental practice management system, consolidating patient registration information, attendance and treatment history.

The HSCB actively promotes modernisation and the ongoing move towards paperless practice however you are reminded that it is your responsibility to ensure that your policies for the capture, storage and retention of records in an electronic format are in accordance with appropriate guidelines.

To help you ensure that you are compliant with the technical requirements for e-signatures I am enclosing a self-assessment checklist which I would urge you to use. Your compliance will be reviewed during routine Probity and Counter-Fraud processes.

Thank you for support in this matter.

Yours sincerely,



Michael Donaldson
Head of Dental Services, Health and Social Care Board

Practitioner Checklist for Digital Patient Signatures – a self-assessment tool

This checklist aims to help practitioners assure themselves that they are compliant with the technical requirements required for the appropriate use of electronic signatures.

It should be noted that practitioner compliance will be reviewed during normal probity cycles by Counter Fraud & Probity Services.

Note: throughout this document, “Patient” is intended to be either the patient or the patient’s representative/guardian where the existing processes and legislation permit someone else to sign on behalf of the patient.

References

Electronic Communications Act 2000

Data Protection Act 1998/ The General Data Protection Regulation (GDPR) 2018 both known as ‘Data Protection Legislation’

General Dental Services Regulations NI (1993) as amended

HSCB /BSO IT security standards

Electronic Identification & Trust Services for Electronic Transactions Regulations 2016

Electronic Signatures & Trust Services Guidance 2016

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/545098/beis-16-15-electronic-signatures-guidance.pdf

Ref.	Item	Compliant Yes/No
1.	When “signing” the patient must be able to see all declaration information and be aware what personal data is being captured from an information governance perspective to comply with Data Protection Legislation.	
2.	Patients should be explicitly made aware of how their information is used (this should be either pointed out or read out to them.)	
3.	The complete form, when presented to the patient, should display all of the information that is contained in the current version (as at the time of signing) of the HS45PR standard template as issued by the HSC Business Services Organisation	
4.	When the patient is signing on the capture mechanism, the electronic signature should appear with minimum delay on the screen and be clearly associated with the claim made on the form by the patient	

Ref.	Item	Compliant Yes/No
5.	<p>Once the required sections on the form have been completed and signed, to verify that information, the exemption claim data/Treatment data and the patient's signature should be closed and should be incapable of further editing as of that point The date and time the form is signed and closed must be recorded.</p> <p>Note: As the form is completed the patient will sign the following sections at various times</p> <ul style="list-style-type: none"> • 1c I have to pay charges because • 1d I do not have to pay charges • Part E – completed after treatment <p>As these sections are completed and signed, the signature and data is to be locked for that section at that date and time. This means that the signatures will be captured independently for each of these sections and secured similarly</p>	
6.	The electronic signature must satisfy all relevant legal requirements.	
7.	<p>The electronic form should satisfy all the principles of guidance as issued by BSO Probitry Services as they form part of the Practice Record. https://cfps.hscni.net/probitry-services/general-dental-services/</p>	
8.	<p>Circumstances where the patient realises that they made an incorrect declaration with regards exemption status Note: The locking of the appropriate part of the form “can be overridden” and the amendment to the declaration made – Audit of changes should be recorded in the Practice Management systems and all dates stored. This information must be able to be reproduced upon request and the final date and signature entered should be used.</p>	
9.	Must be an accurate legible representation of the input made onto the capture device by the patient.	
10.	Storage of forms must be secure at all times with a requirement that appropriate technical organisational measures are undertaken to protect the information in line with the Data Protection Legislation and any other legislative requirements.	
11.	The date and time the form is signed and closed must be recorded and must be able to be produced upon request.	
12.	The data on the form, if capable of being interrogated as part of an authorised activity such as statistical analysis or a payment mechanism, should be incapable of being changed or altered as part of that process.	
13.	In the absence of a signed paper HS45PR form, the dentist / practice must provide a facsimile of the form with the signature correctly located to the relevant data which was captured and authenticated by the signature.	
14.	The reproduced form should be made available only in a single locked (incapable of being altered or amended) format, such as a secure Adobe PDF (Portable Document Format) electronic file or a hard copy print-off of the same.	
15.	The reproduced form in its final format should be recognisable and labeled as a practice record form and must include all the relevant data that is contained on the HS45PR.	