

## **BUREAU OF HEALTH PROFESSIONS**

Date: May 22, 2003

To: Health Professions and Nursing Schools

Subject: HHS E-Signature Standards for the HPSL/PCL/LDS/NSL Programs  
Campus-Based Policy Memorandum 2003-3

Please forward this information to individuals responsible for administering the Health Professions Student Loan (HPSL)/Primary Care Loan (PCL)/Loans for Disadvantaged Students (LDS) and the Nursing Student Loan (NSL) programs.

HHS announces standards established for the use of electronic signatures and implementation of certain provisions of the Electronic Signatures in Global and National Commerce Act (E-sign Act) as they apply to electronic transactions conducted by schools and borrowers in the above-listed programs. The passage of the E-sign Act (Pub. L. 106-229, § 1, June 30, 2000, 114 Stat. 464, codified at 15 U.S.C. §§ 7001 -- 7006), makes it possible for schools to use electronic signatures and promissory notes in place of paper records and handwritten signatures to carry out these programs. These standards are based on the guidance used by the U.S. Department of Education for the Federal Family Education Loan and the Federal Perkins Loan Programs.

A school, whose processes for electronic signatures and related electronic records satisfy these standards, will not be subject to any liabilities or be required to reimburse its FCC revolving fund if the loan is determined to be legally unenforceable by a court based solely on the processes used for the electronic signature or related records. On the other hand, if the school's processes for a loan do not satisfy these standards and the loan is held by a court to be unenforceable based solely on the school's processes for an electronic signature or related records, HHS will determine on a case-by-case basis whether the school will be held responsible for the loss of the loan amount.

HHS has also developed templates of an electronic version of the promissory notes for all of the loan programs. The standards and promissory note templates for the HPSL, PCL, LDS, and NSL programs can be found at our website: <http://bhpr.hrsa.gov/dsa/weblinks>. Click on "Standards and Forms." The standards are provided in both a PDF and an MS Word document. Please note: in addition to a PDF format, the promissory notes are also in HTML format and designed to be used with an existing, internal system. HHS is not developing an electronic transaction system. Directions for copying the HTML format are included on the website listed above.

If you have any questions regarding these standards, please call me at 301-443-4197 or via email at [mfarrington@hrsa.gov](mailto:mfarrington@hrsa.gov).

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