

Preliminary Policy on Electronic Case Files

References:

Workforce Innovation and Opportunity Act, Sec. 185; Data Validation policy; Government Paperwork Elimination Act of 2000 (GPEA, Pub. L. 105-277); and TEGL 17-05.

Background:

Section 185 of Workforce Innovation and Opportunity Act (WIOA) requires recipients of Title I to keep records that are sufficient to permit the preparation of reports required by Title I and to permit the tracing of funds to a level of expenditure adequate to ensure that the funds have not been spent unlawfully.¹ This policy applies to electronic file storage and documentation imaging standards in the administration of the following federal programs: Workforce Innovation and Opportunity Act (WIOA), Wagner-Peyser (WP), Trade Adjustment Assistance (TAA) and related assistance programs, National Emergency Grant (NEG), and Work Opportunity Tax Credit (WOTC), under the Nebraska's state integrated Management Information System (MIS), NEworks and Enterprise Content Management (ECM) system.

As a form of process improvement, the Nebraska Department of Labor (NDOL) and numerous other state agencies have transitioned to a paperless environment utilizing an electronic document imaging and storage system called Enterprise Content Management (ECM). To capitalize on the increased efficiency of data storage and retrieval, NDOL revised the documentation process for determining eligibility and the maintenance of pertinent records. NDOL no longer depends on hard copy documentation, and requires electronic verification of eligibility requirements. The system includes both internal and external access allowing all servicing partners the means to efficiently provide services for their clients. The NEworks electronic application shall be the application of record.

Electronic Content Management:

- reduces staff time accessing hard copy documentation
- increases the consistency of file documentation
- provides easily accessible single point access for file review
- ensures complete verification for program eligibility

Other benefits include: one source of data for case management; easing storage requirements; federal reporting accuracy; timeliness of input; comprehensive view of participant's record; and data validation. The electronic information referenced will be made available to any USDOL or State auditor, or monitor who needs access in order to carry out their official duties. This policy provides clarification on the implementation and validation of this process.

¹ WIOA Sec. 185(a)(1)
Rev. 6/8/2015

Action:

This policy takes effect July 1, 2015.

Policy:

The state has established a standard for an electronic file (e-file) which includes a paperless registration, eligibility determination, and program enrollment. The e-file will be established through the state integrated Management Information System (MIS), NEworks, and Enterprise Content Management (ECM) system. **All WIOA program enrollments and associated documentation are required to be completed in an e-file format.** The results are a real time environment for storing and viewing applicant verification and eligibility determination documents. Authorized personnel are required to scan, import, and save all verification documents at the time they are being reviewed during the application process and prior to selecting the verification type on the application in NEworks per distinct program requirements. Hard copy files will not be considered during a state monitoring review or for data validation. Any needed exceptions to this rule should be made in writing to the NDOL Office of Employment and Training, Attn: Director.

Definition of an E-File

E-file for purposes of this policy, and all programs related to this policy, will refer to a program applicant's file comprehensively stored in an electronic format. The program application, related activities, case notes and all other relevant individual/entity information are captured and stored solely in NEworks, the state integrated MIS, while all documentation and eligibility verifications specific to each applicant are scanned and stored in the Enterprise Content Management (ECM) system. In the rare situation where a case note is of a highly confidential nature, this case note may be scanned and stored in the ECM system. Scanned case notes in the ECM system should be an anomaly. For all WIOA program participants, hard copy documents or hard copy files of any kind will not be considered during a state monitoring review or for data validation. The contents of a participant e-file shall be determined based on the requirements of each distinct program. Accepted methods for producing an e-file consist of:

- Scanning and importing a document into ECM
- E-forms developed in accordance to their individual workflows
- Extracting images from other state agency e-file programs

Roles & Responsibilities

All verification documents must be scanned, imported, reviewed, and saved by the Program Staff personnel, at the time the verification is conducted.

Communication Workflow – Each region, or local area, is assigned a Regional Expert who has been fully trained in the ECM process. Any system and scanning inquiries should first be communicated to the Regional Expert. If the Regional Expert is unable to resolve an issue, it will be the responsibility of the Case Manager to then present that issue to the ECM/NEworks Program Coordinator. A list of Regional Experts and Program Coordinators

is located on the Staff Online Resource page of NEworks. To update this information, please contact the NEworks System Administrator.

ECM Practices:

- ECM Access
ECM access for all NDOL users shall be requested via the NDOL Access Request Process (ARP). If approved, confirmation will be provided to the requesting manager. ECM access for all non NDOL users, such as local area WIA providers, shall submit a NEworks/ECM Access Request form to NDOL's Office of Employment and Training (OET). The access form may be found on the NEworks Staff Online Resource Page. Additionally, non-NDOL users are required to register on the Nebraska Enterprise Self Registration portal at <https://enterpriseregistration.nebraska.gov/>. If approved, confirmation will be provided to the requesting manager. Login information is not to be shared with any other personnel in accordance with the Confidentiality Policy.
- Scanned Image Legibility
Any and all pertinent documentation that is scanned is required to be legible in view and printed form. Illegible images must be removed and the document must be rescanned until a legible image has been captured.
- Deleting Images
Under no circumstances will personnel be allowed to delete an image that has already been saved to an applicant's electronic file. The process of deleting an image that has already been saved to an applicant's electronic file can only be performed by the System Administrator. Requests to delete images may be submitted, via the ECM/NEworks Record Correction Form which is integrated in the ECM e-form document workflow, if the following scenarios exist:
 - 1) an image has been saved to an incorrect program applicant's file, or
 - 2) an image has been saved under an incorrect document type.
- E-Form Process
A variety of electronic forms will be used in accordance with the Enterprise Content Management system. E-forms allow users to complete forms electronically and provide an electronic signature to confirm receipt and review of the information captured in the form by qualified staff or management personnel. Each e-form will need to follow its designated workflow process to ensure all required electronic signatures have been obtained as well as the form passing through each stage of the process as outlined. Any misrepresentation of the electronic signature process, by program staff or management, could result in disciplinary action up to and including termination. All federally funded programs under this policy will establish a workflow for each e-form relevant to their specific programs.

Electronic Signature

An electronic signature is a method of signing an electronic document that identifies and authenticates a particular person as the source of the message and indicates such person's approval of the information contained in the electronic message. Electronic signatures will be generated via signature pads with scanned copies being accepted in limited situations, such as remote or video case management. The electronic signature may be embedded in the content of the record, or it may be stored separately. If an electronic signature technology separates the signature from the rest of the record, it must be associated in some way and captured in the recordkeeping system to preserve the complete content of the record. Where a signature is required and an e-form is not available, the form must be printed and manually signed accordingly. The form is then to be scanned into the participant's electronic file in ECM.

Program Monitoring

Use of Enterprise Content Management in accordance with this policy provides for all monitoring to be performed remotely and upon request. Information is readily available due to the real time entry of all documentation making applicant files current and up to date at all times during the process. State monitors, auditors, and Federal review officials will request access to the ECM system via the NEworks/ECM – Access Request Form, and submitted to OET. If approved, confirmation will be provided to the requestor along with necessary links and initial login credentials. Access will be provided on a permanent or temporary basis depending on business need.

Record Retention

The required length of retention for all contents of an e-file shall be determined per the guidelines for each distinct federally funded program, and specified in the program's individual business rules and procedures.

Confidentiality

All authorized personnel will be assigned a unique and personal username and temporary password to login to the Enterprise Content Management system. Each personnel member will then create his/her own unique and personal password in accordance with the password criteria provided upon initial login. For confidentiality purposes, this unique and personal login information shall not be shared with any other person, nor will any other person be allowed to perform any actions using this login other than the person to whom the login is assigned. Failure to comply with the Confidentiality Policy could result in disciplinary action up to and including termination. In addition, some personnel will assign an electronic signature to various documents for approval. Any misrepresentation of this electronic signature could also result in disciplinary action up to and including termination.

Disclaimer:

This interim policy is based on NDOL's reading of the statute along with the Notice of Proposed Rulemaking released by USDOL. This policy may be subject to change as additional federal regulations and TEGs are released. This policy is not intended to be

permanent and should be viewed as a placeholder until final federal regulations are released in early 2016.