

**ARIZONA DEPARTMENT OF HEALTH SERVICES  
DIVISION OF PUBLIC HEALTH SERVICES  
OFFICE OF LABORATORY LICENSING AND CERTIFICATION  
# SP-061-PHS-SLS**

**CLARIFICATION OF “SIGNATURE” IN A.A.C. R9-14-617(8)(i)**

*This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes § 41-1033 for a review of the statement.*

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The purpose of this substantive policy statement is to clarify the meaning of “signature” in Arizona Administrative Code (A.A.C.) R9-14-617(8)(i). A.A.C. R9-14-617(8)(i) requires that a final report of compliance testing contain “[t]he laboratory director’s or designee’s signature.” The term “signature” is not defined in the statutes or rules governing licensing of environmental laboratories.

The Department is aware that some environmental laboratories are interested in providing final reports of compliance testing electronically, using electronic signatures to satisfy the requirement of A.A.C. R9-14-617(8)(i).

A.R.S. § 44-7002(8) defines “electronic signature” as “an electronic sound, symbol or process that is attached to or logically associated with a record and that is executed or adopted by an individual with the intent to sign the record.” A.R.S. § 44-7007(D) provides that “[a]n electronic signature satisfies any law that requires a signature.” The Department interprets “signature” in A.A.C. R9-14-617(8)(i) to include either a handwritten or stamped signature on a hard-copy document or an electronic signature that meets the definition in A.R.S. § 44-7002(8).

Regardless of how a laboratory director or the laboratory director’s designee signs a final report of compliance testing, the laboratory director is responsible, as provided in A.R.S. §§ 36-495(7) and 36-495.04, for the contents of the report and the compliance testing that the report represents. Additionally, any owner, officer, agent, or employee of a laboratory who knowingly aids, permits, or abets the submission of false or inaccurate information when information is required by A.R.S. Title 36, Chapter 4.3 or the rules in 9 A.A.C. 14, Article 6, subjects the laboratory to denial, revocation, or suspension of its license under A.R.S. § 36-495.09(A).

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