

**County of San Diego, Health and Human Services Agency (HHS A)
Eligibility Policy and Procedures Guide**

CONFIDENTIALITY IN SELF-SUFFICIENCY PROGRAMS

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Revision Date:

09/01/2018

Background:

All HHS A employees shall abide by the Confidentiality Certification located in the HHS A Policy Compliance Chapter, Code of Conduct and Statement of Incompatible Activities to maintain strict confidentiality regarding customer information.

The laws governing disclosure of information contained in public social service agency cases may vary according to aid program, and are specifically addressed in the Program Guide for each HHS A program available online. At no time should the full social security number or any other confidential identifying information be transmitted any form without the customer's authorization.

EPPG was revised to clarify Restricted Confidential and Highly Confidential cases.

Purpose:

The purpose of this document is to outline confidentiality for Eligibility staff regarding levels of customer confidentiality and to define the different levels of customer confidentiality for Self Sufficiency cases.

Policy:

Health and Human Services Agency (HHS A) Self-Sufficiency case information is confidential and may not be:

- Disclosed, except as authorized by law, policy, Agency directive or court order
- Accessed, or used by HHS A staff, for any purpose other than carrying out responsibilities and activities directly related to a legitimate business related reason, such as an assigned task

Programs affected by these guidelines include, but are not limited to:

- Aid to Adoptive Parents (AAP)
- CalFresh (SNAP)
- CalWORKs
- Cash Assistance Program for Immigrants (CAPI)
- County Medical Services (CMS)
- Employment Services (WTW, Child Care, Cal-Learn, etc.)
- Foster Care
- General Relief
- Medi-Cal
- Refugee Cash Assistance (RCA)

Throughout the life of a Self-Sufficiency case, HHS A staff must assess and determine at every interface if a customer's relationship exists, develops or changes that would be cause to increase or decrease the security level of the case data/information.

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HHSA staff may not request that a co-worker or other unauthorized staff member access, view, or discuss (including social media of any type) the case of a relative, friend, neighbor, or acquaintance- neither in hard copy nor electronic form. Unauthorized access includes, but is not limited to:

- Viewing, clearing, or printing any case information, in any automated system, in which the user has not been assigned a task or is not authorized to work on;
- Providing case information, including status, to an unauthorized person;
- Taking any case action that is not related to a legitimate business reason, such as processing an assigned task (i.e., processing applications, periodic reports, Redetermination/Recertification/Renewals (RRRs), etc.)

Any HHSA staff member who is a non-needy payee, key person, Authorized Representative (AR), child care provider, foster or adoptive, or absent parent on a case, shall follow the same processes and procedures as any outside person or entity, to obtain case information. HHSA staff shall contact Access Customer Service Center or the assigned case worker, and not bypass these protocols by asking a friend or unauthorized office co-worker to access a case. HHSA staff shall not use County resources, such as e-mail, to conduct business of a personal nature on a HHSA case.

Confidentiality Description Levels:

Restricted Confidential:

This classification applies to restricted Self-Sufficiency cases. It is strictly for use within HHSA by specific user groups. Viewing and use is intended only for one person or for very specific individuals who have a clearly identified business need to the information.

Self-Sufficiency cases (paper and electronic records) that require the highest degree of confidentiality precautions are considered to be Restricted Confidential Cases. These cases belong to, but are not limited to the following customers:

- HHSA employees with access to CalWIN
- WAY/WEX workers
- Contracted staff (e.g. employment case managers, child care staff)
- Temporary staff working in HHSA access to CalWIN
- Employee who is designated as Authorized Representative

These cases shall be coded and identified in the eligibility information systems as functionality permits (i.e. CalWIN and AuthMED). They may require special assignment and storage, and all casework will be handled by designated HHSA staff. Access to these cases is limited to identified users.

Unauthorized HHSA staff shall NOT attempt to access, view, or discuss (including social media of any type), nor request that another HHSA staff member access, or attempt to access, view, or discuss the case of a friend, relative, neighbor, or acquaintance, public figure, or a person unknown to them.

Viewing and use is intended for a limited number of individuals. Data/information in any format must never be shared with unauthorized persons, offices, or agencies.

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Unauthorized disclosure of this information could adversely impact the County, its business partners, and/or its customers. Such information must not be copied or removed from the County's operational control without specific authority.

Misuse or unauthorized disclosure of certain confidential information may result in disciplinary action and/or Federal or State fines/penalties.

Highly Confidential:

This classification applies to highly confidential Self-Sufficiency cases.

All Self-Sufficiency cases are specifically confidential, but not all electronic case records are coded as 'Confidential' in eligibility information systems. The 'highly confidential' case records of friends, neighbors, or acquaintances of HHSA staff are NOT coded 'confidential', but may require special case control activities. Another example is Domestic Violence cases or employee relatives.

The Declaration of Relationship (16-155) form is the recommended form to identify any relationship between a HHSA staff member and a customer, but is not the only form used to meet the requirement to report in writing. As documentation of compliance with the reporting requirement, any signed Declaration of Relation form(s) or written statement shall be placed in the HHSA staff member's file maintained with the HHSA office's administration.

Unauthorized HHSA staff shall NOT access, view, or discuss (including social media of any type), nor request that another HHSA staff member access, view, or discuss the case of a friend, relative, neighbor, any person of interest, or acquaintance. These cases must be banked directly to a confidential worker in the office based on zip code of the customer.

Viewing and use is intended for a limited number of authorized users. Data/information in any format must never be shared with unauthorized persons, offices, or agencies.

Unauthorized disclosure could adversely impact the County, its business partners and/or its customers. Such information must not be copied or removed from the County's operational control without specific authority.

Misuse or unauthorized disclosure of certain confidential information may result in disciplinary action and/or Federal or State fines/penalties.

Confidential:

This classification applies to all Self-Sufficiency cases are considered confidential. It is strictly for use within HHSA by specific user groups who have a clearly identified business need or legal right to the information.

Note: If a user or customer has a business need or legal right to the information they must go through the appropriate channels to obtain the information.

All HHSA Self-Sufficiency case information is confidential and shall **NOT** be:

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- Accessed, discussed (including social media of any type) or used by HHSA staff, for any purpose other than carrying out responsibilities and activities directly related to a legitimate business related reason, such as an assigned task
- In accordance with Department of Health Care Services (DHCS) regulations, HHSA staff is prohibited from providing screen prints from the Medi-cal Eligibility Data System (MEDS) to a customer or anyone outside of HHSA.

All HHSA employees shall abide by the Confidentiality Certification section included in the Code of Conduct and Statement of Incompatible Activities to maintain strict confidentiality regarding customer information.

Unauthorized HHSA staff shall NOT access, view, or discuss (including social media of any type) cases where there is not a clearly identified business need.

Viewing and use is intended for a limited number of authorized users. Data/information in any format must never be shared with unauthorized persons, offices, or agencies.

Its unauthorized disclosure could adversely impact the County, its business partners and/or its customers. Such information must not be copied or removed from the County's operational control without specific authority.

Misuse or unauthorized disclosure of certain confidential information may result in disciplinary action and/or Federal or State fines/penalties.

HHSA Staff Self Reporting Responsibility:

Employees shall report to their supervisor in writing, within two (2) working days, the following circumstances and status:

- When a staff member has applied for, or became a recipient of, public assistance or services administered by HHSA
- When staff have applied on behalf of another person, or became a payee, authorized representative, provider, conservator, foster parent, adoptive parent, or key person for public assistance or services administered by HHSA
- When staff have knowledge that a relative, friend, neighbor, or acquaintance, is an applicant or recipient of public assistance or services administered by HHSA

Each employee is required to sign the Code of Conduct and Statement of Incompatible Activities Certification (01-73A HHSA) during initial training and at his/her annual performance review. Failure by an employee to comply with the self-identification requirements shall be referred to management for investigation, and possible disciplinary action. All newly-hired employees shall be cleared by HHSA's Group Human Resources' Background Investigation Unit (BIU) for active Self-Sufficiency cases, and any history of public assistance.

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Procedure:

For complete guidelines on operational procedures see the Confidentiality in Self-Sufficiency Programs Processing Guide located on the EO Insite SharePoint under the Eligibility Operations Processing Guide page.

Program Impact/s:

All Programs

References:

Confidentiality in Self-Sufficiency Programs Processing Guide
Code of Conduct and Statement of Incompatible Activities Certification (01-73A HHSA)
Declaration of Relationship form (16-155)

Sunset Date:

This policy will be reviewed for continuance by 09/30/2021

Approval for Release:

 9-12-18

Rick Wanne, Director
Eligibility Operations