

**County of San Diego, Health and Human Services Agency (HHSA)  
County Medical Services (CMS) Program Guide**

**Confidentiality**

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**Background**

Health and Human Services Agency (HHSA) employees are encouraged to respond to inquiries by providing information regarding HHSA policies and procedures. Care must be taken, however, to preserve the confidentiality of HHSA records, including those stored electronically.

This section provides staff with policies and procedures regarding the confidentiality of HHSA records and release of information to qualified agencies, persons, and medical providers.

**Policy:**

**A: Confidential Information**

Names, addresses, and all other eligibility information concerning the circumstances of any particular applicant/beneficiary, including whether that person is or is not an applicant/beneficiary, will not be disclosed for any purposes not directly related to the administration of public assistance programs.

Unauthorized disclosure of confidential information by a County employee is a misdemeanor and may lead to criminal or civil liability for both County employees and the County. The County may also take disciplinary action against the employee.

**B: Applicant/Beneficiary Rights**

To protect the confidentiality of an individual applicant/beneficiary, the individual must be given the opportunity to provide needed information or verifications in a manner which does not identify the individual as a public assistance applicant/beneficiary. Before a collateral contact is initiated, the applicant/beneficiary must be informed of his/her option to obtain the needed information himself/herself without any requirement to use County forms or form letters. The applicant/beneficiary's written consent must be obtained prior to initiating collateral contacts.

**Exception:** State Department of Health Services (SDHS)/Public Assistance Fraud Division (PAFD) staff do not need to obtain applicant/beneficiary's written consent prior to initiating collateral contacts.

**C: Maintain Case Records**

Case records are the original and permanent records of HHSA and are maintained for reference and audit purposes to document eligibility. As a general policy, case records and original documents should be at HCA headquarters, or in the Records Library. Electronic cases shall be maintained in CMS IT System. All information in case records shall be considered confidential and shall be safeguarded.

Unless approved by the appropriate Assistant Deputy Director, no case record will be removed from HHSA.

**Other Program Impact:**

None

**Reference(s):**

None

**Sunset Date:**

This policy will be reviewed for continuance by 05/31/2019

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**Release Date:**

05/03/2016