

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

**Request for Information**

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**Background**

This section provides information on the type of requests which may be received for confidential information and the procedures for processing the requests.

**Policy:**

**A: Request Types**

**Questionable/Unreasonable Requests**

When a request for information does not appear to be reasonably related to the responsibilities of the requesting office, a written statement concerning the request and the circumstances must be forwarded to the Manager for review and approval/disapproval of the request. If necessary, the Manager will forward the request to the Assistant Deputy Director for further review and approval/disapproval.

**Active/Closed Cases**

Inquiries from agencies and persons listed in 03.02 on cases that have been closed and forwarded to Record Library or are stored in the CMS IT system are to be referred to the ACCESS Center 1-866-262-9881 or [pubassist.HHSA@sdcounty.ca.gov](mailto:pubassist.HHSA@sdcounty.ca.gov).

**Other Requests**

Confidentiality questions or requests for release of information not specifically addressed in this chapter should be referred to the Manager for review. Unauthorized disclosure of confidential information may render the County and/or staff liable for criminal and civil suits.

**B: Procedures for Handling Request for Information from Specific Groups**

**Board of Supervisors and Other Political Entities**

All inquiries from the Board of Supervisors or other political entities are to be referred to the Manager for resolution.

These inquiries may include:

- General requests for information on program or procedures
- Requests based on complaints by an applicant/beneficiary pertaining to HHSA handling of his/her case or
- Requests based on any anonymous complaint pertaining to case handling or to a particular applicant/beneficiary

The manager will respond to the inquiry or attempt to resolve the issue without releasing information concerning a specific applicant/beneficiary. These inquiries can often be handled by the Manager by providing general program information or information about procedures.

If the individual making the inquiry requests information about a specific applicant/beneficiary or the results of follow-up action with an applicant/beneficiary, the applicant/beneficiary's consent (verbal or written) is required prior to the release of information.

If the issue or result cannot be resolved, the Manager will contact the Assistant Deputy Director for additional clarification and direction needed to respond to the inquiry.

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Applicant/Beneficiary's Family or Friends

Release of information to the applicant/beneficiary's family or friends requires the written consent of the applicant/beneficiary.

In handling such requests, the following procedure must be followed:

<b>Step</b>	<b>Action</b>
1	The worker will <b>not</b> acknowledge to the requesting person that the applicant/beneficiary has applied for, or are receiving aid or services.
2	The worker will advise the requesting person that he/she must submit a written request for any information including his/her address and phone number.
3	When the worker receives the written request, he/she will notify the applicant/beneficiary of the request for information. The applicant/beneficiary may then provide the information directly to the requesting person.
4	If the applicant/beneficiary does not wish to provide the information directly, but will provide written authorization to release the information, the worker will provide the information to the requesting person. The written authorization must be received first and the requesting person must provide proof of identity before the worker provides the information.
5	Should the applicant/beneficiary refuse consent, the information will not be released. The requesting person may then, as appropriate, contact the District Attorney or a private attorney and use legal recourse.

Defense Attorney Requests

The worker will refer requests from Defense Attorneys, including Legal Aid Society and Public Defender, which do not include an applicant/beneficiary authorized release, to the CMS Program Specialist for an explanation of how to subpoena records (See 03.05).

Business Requests

Release of information to businesses is only authorized when there is a written and dated authorization from the applicant/beneficiary.

Law Enforcement Officials

Confidential information about an applicant/beneficiary may be released to a state or local law enforcement agency only in the course of investigations, prosecutions, civil/criminal proceedings directly related to the administration of the CMS Program.

All types of information, written or oral, shall be confidential and shall not be open to examination other than for purposes directly connected with the administration of the CMS Program, such as conducting or assisting an investigation, prosecution or civil or criminal proceeding related to the administration of the CMS Program. The non-disclosure policy applies to all requests for information, including those from other government agencies, the courts (unless ordered by the court to do otherwise), and the enforcement officials.

**Note:** Disclosure of information from the CMS case records of deceased applicants/beneficiaries (with outstanding felony and/or misdemeanor arrest warrants) is strictly prohibited.

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Private Organizations or Persons Requesting

Private organizations and individuals not on the authorized disclosure list who request information, including whether or not a person is receiving or has received aid, must be informed about the regulations regarding confidentiality of case records. Often general statistical or specific program information can resolve the inquiry.

All unauthorized inquiries should be evaluated for referral to other agencies or offices.

Media inquiries are to be referred directly to the Manager, who, when necessary, will refer the media to the Central Media Coordinator.

**C: Applicant/Beneficiary Request for Information**

Eligibility Information Requested

Information relating to eligibility that has been provided solely by the applicant/beneficiary or authorized by the applicant/beneficiary (bank verifications, income verifications, etc.) and is contained in applications or other documents made or kept by HHSA may be released to the applicant or beneficiary or the applicant/beneficiary's authorized representative.

Third Party Information Requested

Information provided to HHSA by a third party and not provided solely by the applicant/beneficiary will not be disclosed to the applicant/beneficiary or his/her authorized representative.

**Other Program Impact:**

None

**Reference(s):**

None

**Sunset Date:**

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

**Release Date:**

05/03/2016