

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

Customer Request for Information

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19-000.D

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Revision Date:

09/01/2018

Background:

Certain case information regarding eligibility for CalWORKs aid or employment services may be open to inspection by the customer or his/her authorized representative.

Purpose:

This section outlines CalWORKs policies and procedures for customer requests for case information and benefit verification. Information has been reformatted and updated to reference the EPPG Inspection of Case Records policy, and to incorporate benefit verification instructions previously issued via CalWORKs Special Notice 08-05.

Policy:

Eligibility information that was provided solely by the customer in applications and other records made or kept by the County for the administration of the program may be open to inspection by the customer or his/her authorized representative, with the exception of privileged communications. Case information regarding domestic abuse, medical history, criminal background, mental health, substance use treatment, and learning disabilities may only be released to the person who is the subject of the document.

Privileged Communication

Privileged communications are not subject to review without specific written consent from the customer. Examples of privileged communications include information protected by:

• **Physician-Patient Privilege**

Confidential communication from a physician or other medical personnel will not be disclosed without specific written consent from the patient.

• **Lawyer-Client Privilege**

Confidential communication protected by lawyer-client privilege will not be disclosed without specific written consent from the client.

• **Privilege for Confidential Marital Communications**

Confidential communication during a marital or domestic partnership relationship will not be disclosed without consent from both spouses.

Refer to California Evidence Code sections 900-1070 for other types of privileged communications.

Third Party Information

Information that was provided confidentially to the County by a third party is considered privileged information and **will not** be disclosed to the customer or his/her authorized representative. Examples include:

- Reports, summaries, and other confidential communication or information obtained as part of an investigation by the Bureau of Public Assistance Investigations (BPAI) or Department of Health Care Services (DHCS)
- Absent parent information obtained by a child support agency
- Child Welfare Services (CWS/CPS) findings, including information obtained as part of a child abuse report or Child Abuse Hotline referral

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- Foster Care or Adoptions information
- Juvenile Court detention records & minutes
- Information protected by Lawyer-Client privilege
- Informant identity
- Certain information obtained through the Income Eligibility Verification System (IEVS)*
- Medical information provided by a third party (In some situations, the physician may request information not to be released to the patient. In such cases, the physician's consent to release the information must be obtained.)
- Other privileged communication

*IEVS data is considered confidential third party information and cannot be disclosed to the customer. Customers are to be informed if a discrepancy exists and referred to EDD to resolve the issues; however, discrepant information from the IEVS data, such as employee name or employer information, is not to be released to the customer.

Procedure:

Requests for Case Information

Staff may provide a photocopy of a specific case document to the customer or his/her authorized representative upon request, if the information was provided solely by the customer as outlined in this policy.

Customer requests to review all or a portion of their case record are to be documented via the CW 2213 Response to Request to Inspect Case Record and referred to Eligibility Operations Program Support staff. Refer to EPPG 05-03 Inspection of Case Records.

Requests for Benefit Verification

Eligibility staff may provide customer case information for housing purposes by completing the housing verification form provided by the customer or his/her authorized representative. If no housing form is provided, eligibility staff will use the 07-69 HHSA Request for Benefit Verification form to provide information about the customer's benefits, household composition, and WTW sanction, if any.

References:

MPP 19-005 and 19-006

EPPG 05-03 Inspection of Case Records

Sunset Date:

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

Approval for Release:



Rick Wanne, Director
Eligibility Operations