

CONNECTICUT DEPARTMENT OF INCOME MAINTENANCE
UNIFORM POLICY MANUAL

Date: 4-1-87

Transmittal: UP-87-1

1015.15

Section: Rights and Responsibilities	Type: POLICY
Chapter: Departmental Responsibilities	Program: AFDC AABD MA
Subject: Maintaining Case Records	FS

1015.15 A. Maintenance of Records

For every assistance unit, the Department maintains a case record which is complete, accurate, and containing only that material which is necessary in the Department's administration of its assistance programs.

B. Accuracy of Information

1. If the assistance unit feels that information contained in its case record is inaccurate, incomplete, or irrelevant, the Department must allow the unit to file a written request asking that a correction be made.
2. If the assistance unit files such a written request with the Department, the Department gives the unit, within 30 days, a written notice stating that the Department:
 - a. is making the requested correction; or
 - b. is not making the requested correction. If the Department does not grant the assistance unit's request to correct case record information, the Department notifies the unit regarding:
 - (1) the Department's reason for not making the requested correction; and
 - (2) the unit's right to add its own statement to the case record.
3. The assistance unit has the right to a Fair Hearing if the Department uses the contested information in a way which adversely affects the unit's eligibility for benefits.

C. Adding Personal Statement to Case Record

1. If the Department denies the assistance unit's request to correct information contained in the unit's case record, the Department allows the unit to add to its record a statement explaining what the unit believes to be an accurate, complete and relevant version of the information in question.
2. The unit's statement becomes a permanent part of the case record, and is subject to the rules regarding disclosure as outlined in Section 1020.

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UNIFORM POLICY MANUAL**

Date: 02-13-01

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1015.20

Section:

Rights and Responsibilities

Type:

POLICY

Chapter:

Departmental Responsibilities

Program:

AFDC

AABD

MA

Subject:

Keeping Information Confidential

FS

1015.20 A. General Principle

The Department must keep the facts concerning the assistance unit's eligibility for benefits confidential. Disclosure of such information is limited to purposes directly related to the administration of the program (Cross reference: Section 1020).

B. Referred to DCF

The Department notifies the Department of Children and Families if there is evidence indicating that any child under the age of 18 is being physically or mentally abused by a parent or other person responsible for the child's care.

C. Food Stamps

The Department is required to provide any Federal, State, or local law enforcement officer the address, social security number and the photograph (if available) of any household member of a Food Stamp assistance unit subject to the limitations as described in 1020.10 A.6.

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Date: 4-1-87	Transmittal: UP-87-1	1020.05
Section: Rights and Responsibilities		Type: POLICY
Chapter: Disclosure of Information		Program: AFDC AABD MA FS
Subject: Types of Information to Be Safeguarded		

1020.05 A. Information Regarding the Assistance Unit

The following are examples of information to be safeguarded from the public. This list is not all-inclusive:

1. the fact that an individual is an applicant or recipient;
2. name and address of the assistance unit;
3. amount or type of benefits or services provided to or on behalf of the assistance unit;
4. social or economic situation or circumstances of the assistance unit;
5. Departmental evaluation of personal information regarding the assistance unit;
6. medical data, including diagnosis and past history of disease or disability.

B. Lists of Applicants or Recipients

In addition to safeguarding information regarding individual assistance units, the Department does not publish lists containing the names of groups of assistance units.

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P-1020.05

Section:
Rights and Responsibilities

Type:
PROCEDURES

Chapter:
Disclosure of Information

Program: AFDC
AABD
MA
FS

Subject:
Explaining the Department's Disclosure Policy

P-1020.05 When Information is Released

When the assistance unit signs the application form, make sure that it understands that:

1. the Department discloses information pertinent to the assistance unit if disclosure is necessary to accomplish any purpose directly connected with the administration of the Department's program; and
2. the unit's signature serves as the unit's permission for the Department to do so.

Standards of Confidentiality for those Who Receive Information

When sending a tracer to a third party, or when disclosing information regarding an assistance unit to a third party, make sure that the tracer or item of information contains the Department's policy regarding safeguarding of information, as described in policy.

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Date: 4-1-87	Transmittal: UP-87-1	1020.10
Section: Rights and Responsibilities		Type: POLICY
Chapter: Disclosure of Information		Program: AFDC AABD MA
Subject: Releasing Information		[FS] <u>SNAP</u>

1020.10 A. When Information is Released

The Department releases information concerning the assistance unit only for purposes directly connected with:

1. the administration of the Department's programs. Such purposes include:
 - a. establishing eligibility for assistance under the program;
 - b. determining the amount of assistance; or
 - c. providing services for the assistance unit under the program;
2. an investigation, prosecution [,] or civil or criminal proceeding related to the administration of the Department's program. The following activities are considered related to the administration of the program:
 - a. collecting overpayments or other recoveries;
 - b. investigating fraud cases;
 - c. locating legally liable relatives when required by law; or
 - d. collecting support payments when required by law;
3. the administration of any other federal or federally assisted program which provides assistance in cash, or in kind, or services directly to individuals on the basis of need;
4. certification of receipt of AFDC to an employer for the purposes of claiming tax credit under Public Law 94-12, the Tax Reduction Act of 1975;
5. an audit or similar activity conducted in connection with the administration of the program by any governmental entity authorized by law to conduct such audit or activity; or

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Chapter:
Disclosure of Information

Program:
AFDC
AABD
MA
[FS]
SNAP

Subject:
Releasing Information

1020.10 A. When Information is Released (continued)

6. The Department is required to provide any Federal, State, or local law enforcement officer with the address, social security number and the photograph (if available) of any household member of a [Food Stamp] SNAP assistance unit under certain conditions. These conditions are:

a. The [Food Stamp] SNAP assistance unit member:

- 1) must be fleeing to avoid prosecution, custody [,] or confinement for a crime or attempt to commit a crime that is a felony; [or]
- 2) must be in violation of probation or parole imposed under Federal or State law; or
- 3) must have information that is necessary for the officer to conduct an official inquiry related to [numbers a. 1 or a. 2.] subsection A.6.a.1 or A.6.a.2 of this section.

b. The law enforcement officer must have as his or her official duty the location or apprehension of the member and be exercising his request for information pursuant to that official duty.

B. Release to Governmental Agencies

The Department does not disclose any information identifying the assistance unit by name or address to any federal, state or local committee or legislative body other than for purposes described in [paragraph A.] subsection A of this section.

C. Standards of Confidentiality for Those Who Receive Information

The Department releases information concerning the assistance unit only to persons or agency representatives who protect the assistance unit's confidentiality using the same standards of confidentiality as the Department.

D. Department Explains Confidentiality Policy

The Department informs the person or agency representative to whom information is disclosed of the Department's policy concerning confidentiality, including that the information released must be kept confidential to the same extent as the Department does.

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Chapter:	Program:
Disclosure of Information	AFDC AABD MA

Subject:	[FS] SNAP
Releasing Information	

1020.10 E. Consent from Assistance Unit

1. The Department obtains permission from the assistance unit, whenever possible, before disclosing information to an outside source. In an emergency situation, if the Department does not have time to obtain the unit's consent, the Department notifies the unit immediately after disclosing the information.
2. Situations in which consent from the assistance unit is not necessary include, but are not limited to:
 - a. investigations of alleged fraud; and
 - b. verifications obtained under the [Income Verification Eligibility System] Income Eligibility Verification System (IEVS).

F. Court Cases

If a court issues a subpoena for a case record or for a Department representative to testify concerning the assistance unit, the Department informs the court of state and federal law and Departmental policy restricting the disclosure of information. If the court still insists on disclosure, the Department complies.

G. Examination of Case Record by the Assistance Unit

1. The Department allows the assistance unit or its authorized or legal representative an adequate time to examine the unit's case record prior to and during a scheduled Fair Hearing.
2. Subject to the restrictions described below, the Department discloses information contained in the assistance unit's case record to the unit or unit's authorized or legal representative at any time during normal work hours if the unit requests disclosure in writing. If the person making the request is not a member of the assistance unit, the person must have written permission from the unit to obtain disclosure.

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Subject: Releasing Information	

1020.10 G. Examination of Case Record by the Assistance Unit (continued)

3. The Department does not disclose confidential information in the assistance unit's case record to the unit if the information contains:
 - a. the names of individuals who have disclosed information about the assistance unit without the unit's knowledge; [or]
 - b. [the nature or status of a pending criminal prosecution;]information compiled in reasonable expectation of, or for use in, a civil or criminal proceeding; or
 - c. medical, psychiatric[,] or psychological data concerning the unit and the Department determines that disclosure would be detrimental to the unit.
4. If the Department decides not to disclose information contained in the assistance unit's case record to the unit, the Department informs the unit of its right to appeal this decision to the Superior Court within 30 days of the decision.
5. If the Department initially decides not to disclose medical, psychiatric[,] or psychological data concerning the assistance unit to the unit because of a determination that disclosure would be detrimental to the unit, the Department revises this decision under the following conditions:
 - a. the unit requests in writing that a qualified medical doctor review the data to determine whether disclosure is appropriate; and
 - b. the unit's personal doctor recommends disclosure of the [.] information contained in its case record if the unit feels the information is incorrect (Cross reference: 1015).

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Type:
PROCEDURES

Chapter:
Disclosure of Information

Program: AFDC
AABD
MA
FS

Subject:
Disclosing Information to the Assistance Unit

- P-1020.10
1. If the assistance unit asks to see its case record during normal working hours, inform the unit that the request must be in writing.
 2. Ask if there is something in particular the unit wishes to see.
 3. Refer the case to the Program Supervisor, who decides whether to disclose the information.
 4. If the Program Supervisor allows disclosure, set up a date and time for the assistance unit to read the case record. Reserve a quiet area in the office where the unit can examine the record.
 5. Remove any material which is subject to the safeguarding provisions of Section 1020, and oversee the unit as it examines the record.
 6. If the assistance unit is requesting to examine its record in preparation for a Fair Hearing, make copies of any pertinent material which the unit requests and allow the unit to keep the copies.
 7. If the Program Supervisor does not allow disclosure, inform the assistance unit that it can challenge the denial by appealing to the Superior Court within 30 days.
 8. Allow the assistance unit's representative to examine the unit's case record only with written authorization from the unit, and with the consent of the Program Supervisor.
 9. Verify the identity of the representative before allowing him or her to examine the record.

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Chapter: Disclosure of Information	Program:	AFDC AABD MA
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Subject: Publicizing Safeguarding Requirements		FS
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1020.15 A. Publication of Right to Confidentiality

The Department publicizes its policy concerning the assistance unit's right to confidentiality, including the penalty for illegal disclosure.

B. Distribution of Department's Confidentiality Policy

The Department provides copies of the policy described in paragraph A to assistance units and to agencies and individuals to whom the Department discloses information.

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Section: Rights and Responsibilities	Type:	POLICY
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Chapter: Disclosure of Information	Program:	AFDC AABD MA FS
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Subject: Distributing Information to the Assistance Unit		
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1020.20 A. Limitations to Distribution

The Department distributes material to assistance units or to medical providers only if such material:

1. relates directly to the administration of the particular program;
2. has no political implications;
3. contains the names only of individuals directly connected with the administration of the program;
4. identifies these individuals only in their official capacity with the Department; and
5. relates directly to the health and welfare of the assistance unit, such as announcements of free medical examinations, availability of surplus food, or consumer protection information.

B. Items Not Distributed

The Department does not distribute materials such as "holiday" greetings, general public announcements, voting information, or non-citizen registration announcements.

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Date: 7-1-97

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8510.15

Section:
Jobs First

Type:
POLICY

Chapter:
Rights and Responsibilities

Program:
TFA
ES

Subject:
Department Responsibilities

8510.15 A. Providing an Opportunity to File an Application

The Department must afford the assistance unit an opportunity to file an application on the date the unit contacts the appropriate Department Regional Office during regular working hours. (cross reference: 8520.05)

B. Processing Applications in a Timely Manner

The Department processes all aspects of eligibility on a case within a reasonable time frame. (cross reference: 8520.05)

C. Information on Establishing Eligibility

The Department informs the assistance unit what the unit has to do to establish eligibility when the Department does not have sufficient information to make an eligibility determination.

D. Informing the Assistance Unit

1. The Department makes informational pamphlets available and generally informs the assistance unit regarding eligibility requirements, and the unit's rights and responsibilities.
2. The Department allows the assistance unit access to the Department's policy manual and policy handbook.
3. The Department sends the assistance unit written notice of the Department's decision about the unit's initial eligibility and adequate notice regarding action to change the unit's eligibility status or amount of benefits.
4. The Department provides the assistance unit or its representative reasonable access to the unit's case record subject to the limitations stated at 8510.20.

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8510.15 E. Accuracy of Information

If the assistance unit feels that information contained in its case record is inaccurate, incomplete, or irrelevant, the Department allows the unit to file a written request asking that a correction be made.

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Subject: Disclosure of Information
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8510.20 A. Safeguarding Information Regarding the Assistance Unit

Information about the assistance unit is generally safeguarded from the public, except insofar as disclosure is for the purposes of program administration. This includes information about individuals, as well as information about groups of people receiving assistance. The Department does not publish lists containing the names of individuals or groups of individuals receiving assistance. The Department does not release any digital imaging information it has collected on the assistance unit to any agency or organization and does not use digital imaging information for any purpose other than identification or fraud prevention in this or any other state, except such information may be made available to the Chief State's Attorney if necessary for the prosecution of fraud discovered through biometric identification.

B. Release of Information for Program Administration

In general, the Department releases information concerning an assistance unit to entities under contract with the Department and to others for purposes directly connected with the administration of the Department's programs, or the administration of any other federal or federally assisted program which is based on need, to the Department of Children and Families for child protection purposes, and to the Department of Health and Addiction Services when needed to determine the suitability of child care arrangements.

C. Release of Information to Employers

The Department may also release information to an employer for the claiming of a tax credit under Public Law 94-12 (the Tax Reduction Act of 1975).

D. Release of Information to the Department of Children and Families (DCF)

1. The Department of Social Services releases to the Department of Children and Families necessary information concerning a child or the immediate family of a child receiving assistance under the following conditions:
 - a. if the child's health, safety, or welfare is in imminent danger as determined by DCF; and
 - b. release is only to the Commissioner of DCF or his official designee.

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8510.20 D. Release of Information to the Department of Children and Families (DCF)

2. In addition to the provisions of 1, above, and notwithstanding the lack of a request for information from the Commissioner of DCF, the Department notifies DCF if there is evidence indicating that any child under the age of 18 is being neglected or physically or mentally abused while in the care of a parent or other person responsible for the child's care.

E. Release of Information for Recoveries, Overpayments or Fraud Investigations

DSS discloses to the Commissioner of the Department of Administrative Services (DAS), the Commissioner of the Department of Public Safety (DPS), the Office of the Chief State's Attorney, local police departments, the Office of Attorney General, or the Judicial Department, Support Enforcement Division information for the following purposes:

1. the collection of recoveries, overpayments, or investigating fraud; and
2. the collection of amounts due as child support, or the location of absent parents of TFA recipients.

F. Release of Information to the Department of Labor (DOL)

The Department of Social Services releases to the Commissioner of the Department of Labor (DOL) or to his official designee information directly related to the following:

1. the unemployment compensation program; and
2. the implementation of the Employment Services program.

G. Release of Information to Law Enforcement Officers

The Department discloses to federal, state, or local law enforcement officers the address of a recipient if the conditions described below are met.

1. Conditions for the Release of Information Regarding Felons

- a. The recipient has been convicted of one of the following crimes or has attempted to commit one of the following crimes, as defined by the place where the charges originated:

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- 8510.20 G. 1. a. Release of Information to Law Enforcement Officers (continued)
- (1) a felony; or
 - (2) a high misdemeanor as defined by and being pursued under the laws of the State of New Jersey; or
 - (3) a violation of a condition of probation or parole imposed under state or federal law; and
- b. The recipient is fleeing to avoid prosecution, or custody or confinement after conviction; and
- c. The law enforcement officer provides the Department with the recipient's name and indicates to the Department that the recipient meets the conditions listed above in a. and b. and that the location or apprehension of the recipient is within his or her official duties.
2. Conditions for the Release of Information Regarding Others
- a. The law enforcement officer provides the Department with the recipient's name; and
 - b. The law enforcement officer indicates that the recipient has information that is necessary for him or her to conduct his or her official duties; and
 - c. The location or apprehension of the recipient is within the law enforcement officer's official duties.
- H. Standards of Confidentiality for Those Who Receive Information
- Any department to whom information is released may use the information only for the purposes and to the extent necessary to carry out the prescribed functions of that department.
- I. Department Explains Confidentiality Policy
- The Department informs the person or agency representative to whom information is disclosed of the Department's policy concerning confidentiality, including that the information released must be kept confidential except to the extent necessary to carry out prescribed functions.

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8510.20 J. Examination of Case Record by the Assistance Unit

1. The Department allows the assistance unit or its authorized or legal representative an adequate time to examine information in the unit's case record, with certain exceptions. If at any time, the person making the request is not a member of the assistance unit, the person must have written permission from the unit to obtain disclosure.
2. The Department does not always disclose information to the assistance unit if, in the judgement of the Department, the information is or should be confidential to the assistance unit. Examples of confidential information include, but are not limited to, the following:
 - a. the names of individuals who have disclosed information about the assistance unit without the unit's knowledge; or
 - b. the nature or status of a pending criminal prosecution; or
 - c. medical, psychiatric, or psychological data concerning the unit and the Department determines that disclosure would be detrimental to the unit.
3. Whenever the Department withholds confidential information from the assistance unit, the Department advises the unit of this in writing.