

B Right to Confidential Case Information



This subject includes the right to confidential case information and how confidential information is released.

Policy

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All information in any FAA record, [case file\(g\)](#), secured system, or known to employees, contractors, volunteers, or temporary employees is confidential and protected by confidentiality rules, laws, and policies.

Under Arizona Revised Statute §18-552 - Notification for Compromised Personal information, the customer is notified of any breach of confidentiality.

Any of the following may authorize confidential case information to be released or discussed with persons not included in the budgetary unit:

- [Primary Informant\(g\)](#)
- [Authorized representative\(g\)](#)
- Adult [responsible participant\(g\)](#)

Types of Confidential Information

Confidential information includes, and is not limited to, **any** of the following:

- Any participant or claimant information including, and not limited to, **any** of the following:
 - Name
 - Date of birth
 - Social Security number (SSN)
 - Address
 - Telephone number
 - Benefit amount and participation
 - Child support information
- Employer information (employer name and address, salary amount, leave accrual)
- Medical or health information for participants

- Any information not generally available to the public

Participant Review of Case Information

A participant has the right to review their case file. The FAA Office Manager or their designated staff is required to be present during the entire case review.

NOTE Participants can view and print a Proof of NA/CA Eligibility card by accessing their account on the My Family Benefits (MFB) website at <https://myfamilybenefits.azdes.gov/>.

When a participant needs to review their case file, the participant needs to request an appointment. FAA accepts requests verbally or in writing at **one** of the following:

- Customer Support Center at toll-free (855) 432-7587
- Fax to (602) 257-7031
- Fax toll-free to (844) 680-9840
- Mail to:
Arizona Department of Economic Security
PO Box 19009
Phoenix, AZ 85005-9009
- See [DES/FAA Locations](#) to find the location of an FAA office

The participant receives a confirmation for the request no later than the second [workday\(g\)](#) after the date of the request. The confirmation includes a date and time for the participant to review the case file. The FAA Office Manager makes an appointment by **one** of the following:

- Phone
- A written information request

The participant is required to complete their case file review within seven workdays of the original request.

During the review, the participant can request **any** of the following:

- Printed copies of any documents they review in the case file.
- To make an audio recording of the review. The audio recording can include answers to questions asked by the participant.

No Permission Needed to Release Case Information

FAA releases confidential information related to case eligibility without the Primary Informant's permission to **all** of the following organizations:

- FAA and its employees for an official business reason

NOTE No information on a case is released to an FAA employee with a known conflict of interest unless the employee is the appointed authorized representative.

- Social Security Administration (SSA) employees
- Other state public assistance agencies
- Division of Child Support Services (DCSS) or its legal counsel
- Arizona Attorney General's office
- Any federal or federally assisted program that provides assistance or services directly to people based on their need
- Arizona Health Care Cost Containment System (AHCCCS) for purposes of providing medical services, including enrolling in a health plan or obtaining medical services
- AHCCCS and FAA approved health care providers for purposes of completing the provider referral process
- Health-e-Arizona Plus Community Partner Organization Application Assistors and Supervisors
- Hospitals and their authorized representatives with the completed Authorization to Share Information (FAA-1145A) form
- Schools that have intergovernmental agreement or school personnel verifying eligibility for breakfast, lunch, or special milk programs
- Federal auditors from any of the federal assistance programs that have legal permission to audit FAA cases
- Department of Child Safety (DCS), when requesting information for a case that may have known or suspected abuse
- DCS, when requesting information related to Foster Care or Adoptions
- The Internal Revenue Service (IRS) for claims made by an absent parent (AP) about children receiving CA
- Office of Accounts Receivable and Collections (OARC)

NOTE FAA shares the participants SSN with OARC and the Arizona Department of Gaming in order to assist in the collection of an overpayment. Lottery winnings may be withheld to repay an overpayment.

- State and federal employment security agencies, when requesting information for purposes of potential work program participation and claiming the Work Opportunity Tax Credit (WOTC)
- Employers are only provided information regarding receipt of CA for purposes of claiming the Targeted Job Tax Credit under Public Law (PL) 94 12

FAA does not release medical information without authorization from the participant and physician.

Regarding appeals documents and the status of actions taken specifically to the hearing decision, FAA releases information to **only** the following:

- Primary informant or an authorized representative
- [Appellant\(g\)](#)
- Appellant's authorized representative or legal counsel

Public Records Requests

Public records request includes and is not limited to, **all** of the following:

- Court orders
- Subpoenas
- Requests from law enforcement
- Media inquiries
- Statistical data for research purposes

All information is considered public record, with the exception of **any** of the following:

- Confidentiality – Disclosure is not required where prohibited by statute, court rule, or court order (e.g., social security numbers, etc.).
- Personal Privacy – Some records need not be disclosed due to a person's privacy rights (e.g., home address, telephone numbers, email addresses, racial background, etc.).
- “Best Interest” – Disclosure may not be required when the record's release is not in the state's best interest (e.g., a release would inhibit public safety efforts or place the state at a competitive disadvantage).

NOTE FAA can provide law enforcement officials the social security number, home address and a photo of the participant, if available, when a written request is provided.

For additional information requesting DES records, see [Request DES Records](#).

To request public records from DES, contact the Public Records Request Coordinator at **any** of the following:

- Mail to:
DES Public Records Request Coordinator
P.O. Box 6123
Mail Drop 1292
Phoenix, AZ 85005
- Fax to: (602) 542-6000

- Email to: PublicRecordsRequest@azdes.gov

Procedures

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Written authorization from the [primary informant\(g\)](#) or [authorized representative\(g\)](#) is needed before case information is released or discussed with persons not included in the budgetary unit. Before releasing confidential information, FAA workers must [authenticate\(g\)](#) the person contacting FAA.

Information Risk Management and FAA Data Security must review all confidentiality breaches to determine whether a data security violation exists.

Any unauthorized or unofficial access, review, or release of confidential information by employees, contractors, volunteers, or temporary employees is a breach of confidentiality. When any unauthorized release of confidential information is discovered, complete **all** of the following:

- Complete the Notice of Security Incident (J-126) form.
- Send the J-126 form to Information Risk Management.
- Send the J-126 form to FAA Data Security.

See [Information Risk management](#) and [FAA Data Security](#) for address information.



Arizona Revised Statute §41-1959 makes the release of confidential information a Class 2 Misdemeanor. Disciplinary action will be taken when it is found that an employee, contractor, volunteer or temporary employee has misused or inappropriately released case information. Disciplinary action may include suspension, dismissal, and prosecution.

All inquiries regarding the participant's medical provider or health plan must be referred to [AHCCCS\(g\)](#).

Information Security

Use **any** of the following methods to dispose of confidential information:

- Shred machines
- Confidential shred containers

Observe **all** of the following physical security precautions:

- Lock file cabinets containing confidential information.
- Lock or log off computers when away from the workstation.
- Do not leave confidential information in a place where the public can access it, such as, and not limited to, **any** of the following:

Printers

Desks and chairs

Top of file cabinets

Countertops

Floor

Report any suspicious or potentially fraudulent activity immediately. For more information about what is considered questionable activity, see **each** of the following:

- [Conflict of Interest](#)
- [Authorized Representatives](#)
- [Suspicious or Potentially Fraudulent Activities](#)

When documents are found in the incorrect HEAplus account or OnBase case, see [Centralized Document Services \(CDS\)](#).

Information Request from Another State

Specialized workers process requests for verification of benefits from another state.

States must send a request to AZStateInquiries@azdes.gov.

To check the status of a request, state agencies can call and leave a message at (602) 771-2047.

Release of Case Information to Law Enforcement

Refer requests for information from state, or federal law enforcement agencies to the DES Public Records Request Coordinator by the close of business the same day the request is received. (See [DES Public Records Request Coordinator](#) for contact information.)

The DES Public Records Request Coordinator may provide these agencies with information for investigating or prosecuting (criminal or civil) participants when an investigation or prosecution is conducted by or on behalf of FAA. The DES Public Records Request Coordinator may release **all** of the following types of information:

- Alleged violations of the Food Stamp Act or regulations
- Violations regarding the administration of federal public assistance

Law enforcement agencies may submit a DES Public Records Request to investigate **any** of the following:

- Fleeing felons

- Violators of probation or parole

The DES Public Records Request Coordinator working with FAA, reviews and completes all requests.

Court Order or Subpoena

FAA may receive a subpoena to testify in court or a court-ordered release of information regarding an FAA case. Complete **all** of the following by close of business on the day the court order is received:

- Elevate the situation to the DES Public Records Request Coordinator via secured email at: PublicRecordsRequest@azdes.gov, **all** of the following:

In the subject line: Court subpoena received

In the text of the email, include **all** of the following:

- Mail drop and site code
- Case name and case number
- See the court order “number” attached (Include the court order number)
- Scan all of the court and related documents. Attach the scanned documents to the email.

Before sending the email, ensure that all documents are scanned, readable, and complete.

Once the request, subpoena, or court order is sent to the DES Public Records Request Coordinator, no further action is needed unless the Coordinator or FAA leadership requests additional information.

Participant Review of Case Information

A participant has the right to review their [case file\(g\)](#). The FAA Office Manager or their designated staff must be present during the entire review of the case file.

NOTE The participant is not allowed to review everything in their case file. (See [Documents That Must be Removed from Case File](#) for a list of what must be removed prior to the case review.)

Verify the identity of the person requesting information before allowing anyone to review a case file.

An appointment is not necessary when a participant requests a copy of a notice.

The participant must request an appointment to review their case file.

The FAA Office Manager must contact the participant by phone no later than the second [workday\(g\)](#) after the request to confirm a date and time for the participant to come into the FAA office to complete the review. When the FAA Office Manager cannot contact the participant by phone, an information request must be sent no later than the third workday after the date of the request, asking the participant to contact the FAA Office Manager

Document the appointment time, date, and location on CADO.

The case file review must be completed within seven workdays of the participant contacting the agency. The material and information in the case file must be made available for review.

When a participant has filed an Appeal request and is in the FAA office, allow the participant or their authorized representative to review the case file whenever the request is received.

Documents That Must be Removed from the Case File

Specific confidential information cannot be viewed by or provided to the participant or the authorized representative. **All** of the following confidential information must be removed from the case file before the participant's or authorized representative's review:

- Any document containing the birthdate or Social Security number for persons who are not included in the current budgetary unit.
- Birthdates or Social Security numbers for nonparticipants received from the Department of Child Support Services (DCSS), including CHSP screen prints.
- The nature or status of pending criminal prosecutions.

NOTE This information must not be included when preparing an Appeals Packet

- Information that a physician considers psychologically harmful to any participant in the budgetary unit, such as medical information deemed inappropriate for release by the physician.
- The names of confidential complaint sources who have provided information to FAA without the participant's knowledge.

NOTE This information must not be included when preparing an Appeals Packet

- Federal Tax Information (FTI) reports
- AZTECS Screen prints of HOSC

Remove documents containing confidential information from OnBase, by completing **all** of the following:

- Print the confidential documents.
- Send an email to CDS with the information that CDS needs to delete from OnBase. Include 'Participant Case Review' in the subject line of the email.

Once the case review is complete, replace the confidential documents. When the documents are removed from OnBase, scan the previously printed documents back into the case file in OnBase after the participant case review.

Verification

Verification for identity is available when the AZTECS interface (WPTY) or HEAplus hub (SOLQI) has verified the participant's Social Security number is valid. Use WPTY and SOLQI as identity verification when no other reasonable source is available.

FAA must verify the identity of both the [primary informant\(g\)](#) and the [authorized representative\(g\)](#) before releasing confidential information from a case file.

Examples of proof of identity include, and are not limited to, **any** of the following:

- Collateral Contact
- State-issued driver's license or identification card
- Birth Certificate
- School I.D.
- Social Services Programs identification card
- Wage stubs or work I.D.
- Voter Registration Card
- Other similar documents

Legal Authorities

AAC 6-12-102

ARS 41-1959

7 CFR 272.1(c)(2)

7 CFR 272.1(c)(1)(vi)

7 CFR 272.1(c)(1)(vii)

[Prior Policy](#)

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