

## 04 Confidentiality – Overview

**REVISION 48**  
(01/01/20 –12/31/20)

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

Confidential information must not be released or discussed with individuals not included in the budgetary unit unless authorized by the [PI\(g\)](#) or [authorized representative](#). The individual contacting FAA must be [authenticated\(g\)](#) prior to releasing confidential case information or as listed in the following policies:

- [Release of Confidential Information](#)
- [Participant Review of Case Information](#)
- [Court Order or Subpoena to Release Information](#)

### WARNING

Any unauthorized or unofficial access, review or release of confidential information by employees, contractors, volunteers, or temporary employees is a breach of confidentiality.

Any breach of confidentiality must be reviewed to determine whether a data security violation exists. Complete a Notice of Security Incident Form (J-126) and submit it to the [Information Risk Management](#) (IRM) and [FAA Data Security](#).

Any improper release or misuse of confidential information will be subject to disciplinary action.

An employee, contractor, volunteer or temporary employee who is determined to be in breach of confidentiality will be subject to disciplinary action which may include suspension, dismissal, and civil or criminal prosecution.

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

Policy and procedures regarding confidential information are outlined as follows:

- [Types of Confidential Information](#)

- [Confidential Information Security](#)
- [Handling Special Cases](#)

**A Confidentiality - Types of Confidential Information**

**REVISION 19**

(01/01/12 - 03/31/12)

Confidential information includes, but not limited to, the following:

- Any participant or claimant information including, but not limited to, 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, etc.)
- Any information obtained through the HOSC screens
- Medical or health information for participants and DES staff
- Any information not generally available to the public

**B Confidentiality - Information Security**

Observe the following security measures when working with confidential information:

- [Disposal of Confidential Information](#)
- [Physical Security of Confidential Information](#)

**.01 Confidentiality - Information Security - Disposal of Confidential Information**

Dispose of confidential information as follows:

- Use shred machines or confidential shred containers.
- When shred machines or containers are not available, dispose of the shredded material per FAA office procedures.

## .02 Confidentiality - Information Security - Physical security

**REVISION 47**  
(01/01/19 - 12/31/19)

Observe the following security precautions:

- Lock file cabinets containing confidential information.
- Lock or logoff computers when away from the workstation.
- Do not leave confidential information in places where the public can access it, such as the following:
  - On printers
  - On desks
  - On top of file cabinets
- When documents are found in the incorrect HEAplus account or OnBase case, see [Centralized Document Services \(CDS\)](#).

## C Confidentiality - Information Security - Release of Confidential Information

**REVISION 22**  
(10/01/12 - 12/31/12)

Permission to release information must be obtained in writing from the PI or authorized representative when a request is made by any unauthorized source. Do not release any information without written permission from the PI or authorized representative.

### EXCEPTION

Written permission from the PI is not needed for the sources listed in [Release of Information – No permission needed](#).

Limited information may be released to law enforcement without the written permission of the PI. (See [Releasing Information to Law Enforcement](#))

The permission to release information must include all of the following:

- The information to be released.
- The name of the person or organization that is allowed to receive the information.
- The period of time the release is valid.
- The dated signature of the PI or authorized representative.

When the participant requests to view or receive copies of information from their [case file\(g\)](#) see [Participant Review of Case Information](#).

Refer all inquiries about a participant's medical provider or health plan to [AHCCCS](#).

When there is a court order or subpoena issued see [Court Order or Subpoena to Release Information](#) for routing instructions.

**WARNING**

Do not release any documents that contain the physical address of an [Address Confidentiality Program \(ACP\)](#) participant.

**.01 Release of Confidential Information – No Permission Needed**

**REVISION 47**

(01/01/19 - 12/31/19)

Confidential information, relating to the eligibility for public assistance programs, can be released without the PI's permission to the following:

- FAA and its employees for an official business reason

**WARNING**

Do not release information on a case to an FAA employee with a known [conflict of interest](#) on that case unless they are an appointed [authorized representative](#). Report any [suspicious or potentially fraudulent activity](#) immediately.

- Social Security Administration (SSA) employees
- [Public assistance agencies from other states](#)

**WARNING**

Requests from other states for verification of Arizona benefits are processed by specialized staff. Inform other states that requests for verification of Arizona benefits must be sent to:

- Email: [AZStateInquiries@azdes.gov](mailto:AZStateInquiries@azdes.gov)
- Telephone: (602) 771-2047 to leave a message regarding the status of a request

- 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 (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 Subscriber Organization Application Assistors and their Supervisors
- A hospital or its authorized representative when an Authorization to Share Information form (FAA-1145A)
- Schools that have an 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
- Department of Child Safety (DCS), when requesting information related to Foster Care or Adoptions
- The Internal Revenue Service (IRS) may only be given information for children who may be receiving CA when working on claims made by absent parents (AP)
- Office of Accounts Receivable (OARC)
- 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 may only be given information regarding receipt of CA for purposes of claiming the Targeted Job Tax Credit under Public Law (PL) 94 12

**EXCEPTION**

Appeals documents and the status of actions taken specific to the hearing decision may only be released to any of the following:

- PI(g) or their authorized representative (See Participant Review of Case Information)
- Appellant(g)
- Appellant's authorized representative or legal counsel

Do not release OSI information obtained from the AFTS System.

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

**.02 Release of Confidential Information to Law Enforcement**

**REVISION 48**  
(01/01/20 - 12/31/20)

Refer requests for information from FAA, state, or federal law enforcement agencies to the DES Public Records Request Coordinator.

**EXCEPTION**

When there is a court order or subpoena see Court Order or Subpoena to Release Information.

These agencies may be given information from the DES Public Records Request Coordinator for purposes of investigating or prosecuting (either criminal or civil) participants when investigation or prosecution is conducted by or on behalf of FAA.

Information that the DES Public Records Request Coordinator may release must be regarding the following:

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

### **.03 Confidentiality - Court Order or Subpoena to Release Information**

**REVISION 50**  
(01/01/22 – 12/31/22)

A subpoena to testify in court or a court-ordered release of information may be received regarding an FAA case. When this occurs, complete the following by close of business on the day the document is received:

- Elevate the situation to the Policy Support Team (PST) via email.
- Fax a copy of all of the court documents to the PST (See [PST](#) for the email address and the Fax number.)

**NOTE** FAA Staff – When faxing documents containing confidential information use the Fax Cover Sheet (DES-1078A) form. This form can be found in the Document center.

The PST follows up with the Office of the Arizona Attorney General. The PST then informs FAA office management of specific procedures required to comply with the subpoena or court-ordered request.

### **.04 Confidentiality - Participant Review of Case Information**

**REVISION 50**  
(01/01/22 – 12/31/22)

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

**NOTE** Participants can view and print a Proof of NA/CA Eligibility card by accessing their account on the [MyFamilyBenefits](#) (MFB) website.

Specific confidential information cannot be viewed by or provided to the participant or their authorized representative. FAA must remove all confidential information from the case file prior to the participant's or authorized representative's review.

**NOTE** This information should also be excluded when preparing an Appeals Packet.

The participant must request an appointment to review their case file. The request can be made by phone by calling the Customer Support Center at toll free (855) 432-7587, by fax to (602) 257-7031 toll free (844) 680-9840, verbally or in writing.

The Office Manager contacts the participant by phone no later than the second business day after the request to confirm a date and time that the participant may come into the office to review their case file. When the LOM is not able to make contact by phone, send an information request asking the client to contact the LOM no later than the third business day after the request. Document the appointment time, date, and location on CADO.

An appointment must be scheduled, and a review of the case file must be completed, within seven [workdays\(g\)](#) of the participant contacting the agency. The material and information contained in the case file must be made available for inspection during normal business hours.

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 on the day the request to review is received, whenever possible.

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

Exclude the following information from the Appeals Packet by removing or redacting the items from the case file prior to the participant's, or authorized representative's review:

- The names of confidential complaint sources who have provided information to FAA without the applicant's or participant's knowledge.
- Office of Special Investigations (OSI) information from Automated Fraud Tracking System ([AFTS](#)) for any pending investigation.
- Federal Tax Information (FTI) Reports.
- Any document that contains the birthdate or Social Security Number for persons who are not included in the current household.
- Birthdates or Social Security Numbers for non-household members received from the Department of Child Support Services (DCSS), including CHPS screen prints.



- HOSC screen prints from AZTECS.
- The nature or status of pending criminal prosecutions.
- 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.

When the documents containing confidential information must be removed from [OnBase\(g\)](#), complete the following:

- Print the confidential documents.
- Send an email to [Centralized Document Services \(CDS\)](#) requesting that the documents be deleted from OnBase. Include 'Participant Case Review' in the subject line of the email.

Printed copies of the documents in the case file may be provided for either the participant or their authorized representative during the review, upon request.

The person reviewing the case file may make an audio recording of the review. The audio recording may include answers to questions asked by the participant.

The identity of the person requesting information must be confirmed prior to allowing the case file to be reviewed.

Replace the confidential documents after the participant has viewed the case file. When the documents had been removed from OnBase, scan the previously printed documents into OnBase.