



SNAP 101-1

APPLICATION PROCESSING

Confidentiality

Supersedes:	FS 101-1 (10/01/06), Bulletin FS 62
References:	7 CFR 272.1; 273.2; P.L. 104-193 sec. 837
Overview:	<u>GENERAL RULE</u> -- Supplemental Nutrition Assistance Program (SNAP) case information is confidential under federal law. The Department of Public Health and Human Services (DPHHS) may share client information for purposes directly connected with the administration of the public assistance programs, other federal programs, and certain entitled entities.
HEALTH INSURANCE PORTABILITY & ACCOUNTABILITY ACT (HIPAA)	Guidelines in the (HIPAA) manual must be followed concerning the release of protected health information.
INFORMATION PROVIDED WITHOUT NOTICE TO OR PERMISSION OF CLIENT	<p>The use or disclosure concerning confidential information of a SNAP applicant or recipient households without notice to or permission of the individual can be provided to the following:</p> <ol style="list-style-type: none">1. Individuals directly connected with the administration of the Child Support Program in order to assist in the administration of the Child Support Program.2. Individuals establishing or verifying eligibility or benefits under Title II and Title XVI of the Social Security Act including Old-Age and Survivors Insurance, Social Security Disability Insurance (SSDI), and Supplemental Security Income (SSI).3. Individuals directly connected with the administration or enforcement of the provisions of the Food Stamp Act or regulations, other federal assistance programs, or federally assisted state programs providing assistance on a means-tested basis. <p>NOTE: These include HUD, Tribal TANF, TANF, Tribal GA, Low Income Energy Assistance (LIEAP) and SNAP certification offices in other states.</p> <ol style="list-style-type: none">4. Individuals directly connected with the administration or enforcement of the programs which are required to participate in the State Income and Eligibility Verification System (IEVS) to the extent the SNAP information is useful in establishing or verifying eligibility or benefit amounts for those programs.5. Employees of the Comptroller General's Office of the United States for audit examination that is authorized by any other provision of the law.6. Federal, state, or local law enforcement officials upon written request for the purpose of investigating an alleged violation of the Food Stamp Act or regulations. <p>NOTE: The written request must include the name and the authority of the individual requesting the information, the violation being investigated, and the identity of the person for whom the information is requested.</p> <ol style="list-style-type: none">7. Federal, state, or local law enforcement officers upon written request for the purpose of obtaining the address, Social Security number, and, if available,

	<p>photograph of any household member if the member:</p> <ul style="list-style-type: none"> a. is fleeing to avoid prosecution, custody or confinement for a felony; or b. is violating a condition of parole or probation; or, c. has information necessary for the apprehension or investigation of another member who is fleeing to avoid prosecution or custody for a felony or has violated a condition of probation or parole. <p>NOTE: The written request must include the name and the authority of the individual requesting the information, the violation being investigated, and the identity of the person on whom the information is requested.</p> <ul style="list-style-type: none"> 8. Federal, state, or local penal, correctional, or other detention facility staff in an effort to verify that an individual who is placed under detention in a federal, state, or local penal, correctional, or other detention facility for more than 30 days does not participate in SNAP for households subject to change reporting requirements. 9. Agencies of the federal government, including the United States Postal Service, for the purpose of collecting over issued SNAP benefits. 10. Individuals directly connected with the Systematic Alien Verification for Entitlements (<u>SAVE</u>) Program to the extent the information is necessary to verify identity and alien status for SNAP. <p>Requests for information about current or past clients that do not meet the above criteria must be submitted in writing to the Public Assistance Bureau, Central Office. When there is a question about a breach of confidentiality, Central Office will refer the request to the Office of Legal Affairs</p>
<p>RELEASE TO CLIENT OR DESIGNEE</p>	<p>When there is a written request by a responsible SNAP household member, authorized representative, or a person acting on the household’s behalf to review material and information contained in its case file, the material and information in the case file are available to review during normal business hours.</p> <p>Privileged information may be withheld such as the name of individuals who have disclosed information about the household without the household’s knowledge, or the nature or status of pending criminal prosecution.</p>
<p>AUTHORIZATION OF INFORMATION BY CLIENT</p>	<p>An individual’s signature on the application allows the OPA to contact other persons or organizations to obtain necessary verification of any statements to determine initial eligibility.</p> <p>A signed release of information (ROI) form is not a condition of eligibility and the household is not required to sign the form. However, the eligibility staff member should ask the household to sign an ROI form to enable the eligibility staff member to assist the household in obtaining necessary information or verification to determine eligibility. Each adult household member should be given the opportunity to review and sign an ROI form since an individual cannot waive another’s right to confidentiality. If the household does not want to sign the form, it should be case noted that they were given the opportunity but did not sign the</p>

	ROI. A client always has the right to rescind in writing the authorization to release information.
AGENCY PERSONNEL AND VOLUNTEERS	<p>Personnel used in the SNAP eligibility determination process must be employed and classified in accordance with the employment and classification standards of the State of Montana and the Department of Public Health and Human Services. Only qualified program employees conduct the required eligibility determination interviews and determine eligibility for SNAP.</p> <p>Volunteers must be trained in sufficient detail and frequently enough to give correct information to households. Volunteers or other persons not employed by DPHHS may not conduct the required eligibility determination interviews and determine eligibility for SNAP. They may assist Eligibility staff member in related activities such as outreach, obtaining necessary verification, pre-screening applications, and assisting applicants in completing the application form.</p> <p>Volunteers are restricted from disclosing confidential information the same as DPHHS employees.</p>
EFFECTIVE DATE	October 1, 2008