



101-1 Confidentiality

Supersedes:	TANF 101-1 (07/01/05)
References:	MCA 41-3-205; ARM 37.78.106; ARM 37.78.102
Overview:	<u>GENERAL RULE</u> --The Department of Public Health & Human Services (DPHHS) may share client information for purposes directly connected with the administration of the TANF cash assistance programs with other federal programs and certain entitled entities.
AGENCY PERSONNEL	<p>Only qualified program employees, restricted from disclosing confidential information, shall conduct the required interviews.</p> <p>NOTE: Non-program employees may conduct interviews or certify applicants when specifically allowed under federal regulation (e.g., federally declared disaster).</p> <p>Volunteers are restricted from disclosing confidential information.</p>
RELEASE TO PARTICIPANT	The applicant/participant may review all information in the case file that was considered when making the eligibility determination. Privileged information, 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, may be withheld.
RELEASE TO OTHERS WITHOUT PRIOR AUTHORIZATION	<p>Confidential information concerning the applicant or participant, without notice to or permission of the individual, may be provided and used for the following purposes:</p> <ol style="list-style-type: none">1. Reporting child abuse and neglect to the appropriate authority (MCA 41-3-205);2. Conducting child support activities;3. Establishing eligibility and administering (including audits, investigations, prosecutions, etc.) federal programs or federally assisted programs which provide assistance (cash, in-kind, or services) directly to individuals based on need.4. Only the participant's address can be released to a federal, state or local law enforcement officer who presents a written request for information which includes the participant's name and specifies that the individual:<ol style="list-style-type: none">a. is fleeing to avoid prosecution, custody or confinement for a felony;b. is violating a condition of parole or probation; orc. has information necessary for the officer to conduct official duties.5. When information is necessary to provide emergency medical care for the

	<p>participant, the information must be released. As soon as possible thereafter, the applicant or participant must be notified of the release of information.</p> <p>6. Notification of an appropriate person, authority or other entity that an applicant or participant is making threats to harm himself or herself or to harm others, in order to prevent or lessen the threatened harm.</p> <p>Requests for information about current or past participants who do not meet the above criteria must be submitted in writing to the Regional Policy Specialist. When there is a question about a breach of confidentiality, the request will be referred to the Office of Legal Affairs.</p>
Date Revised	January 1, 2006