



TANF 101-1 Confidentiality

Supersedes: TANF 101-1 (1/1/06)

Reference: MCA 41-3-205; ARM 37.78.106

Overview: 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.

All DPHHS employees and volunteers are restricted from disclosing confidential information.

RELEASE TO CLIENT:

The applicant/client 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.

The agency must also make available, without charge, the specific materials necessary for a household or its representative to determine whether a fair hearing should be requested or to prepare for a hearing.

RELEASE TO OTHERS WITHOUT PRIOR AUTHORIZATION:

Confidential information concerning the applicant or client, without notice to or permission of the individual, may be provided and used for the following purposes:

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 client's address can be released to a federal, state or local law enforcement officer who presents a written request, if the officer identifies the person and satisfactorily demonstrates:
 - a. The person is:
 - i. is fleeing to avoid prosecution, custody or confinement for a felony;

- ii. is violating a condition of probation or parole; or
- iii. has information necessary for the officer to conduct official duties.

And

- iv. Locating and/or apprehending the person is within the official duties of the officer.
5. When information is necessary to provide emergency medical care for the client, the minimum amount necessary may be released. As soon as possible thereafter, the applicant or client must be notified of the release of information.
 6. Notification of an appropriate person, authority or other entity that an applicant or client is making threats to harm him/herself or to harm others, in order to prevent or lessen the threatened harm.

Requests for information about current or past clients who do not meet the above criteria must be submitted in writing to Central Office. When there is a question about a breach of confidentiality, the request will be referred to the Office of Legal Affairs.

Effective Date: January 01, 2018