

**County of San Diego, Health and Human Services Agency (HHS)A)
Eligibility Policy and Procedure Guide**

Inspection of Case Records

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Issued date:

04/12/2016

Effective date:

04/12/2016

Background:

Case information can be released to customers upon request. Refer to the specific program regarding confidentiality questions and requests for release of information.

Purpose:

To remind staff of the regulatory requirements in regard to a customer's request to inspect their case record.

Policy:

A customer's case record is confidential and only open to review by the customer or their authorized representative under limited circumstances. Information related to the eligibility determination that has been provided by the customer or authorized representative may be released when the request is directly connected with the administration of the program.

For detailed information, please refer to the specific program guide.

The customer may inspect the case records including the case narrative, **relating only to that customer** or the customer's child. However, the customer may not inspect the records pertaining to their child when a health care professional determines that reviewing certain case information in regard to the child will have a detrimental effect on the child's well-being, physical safety or the health professional's relationship with that child. The requesting customer may not review information relating to another adult household member without that household member's written consent.

Information provided in **confidentiality** to the Agency by a third party and not provided by the customer is considered privileged information and will not be disclosed. Any privileged information included in the case narrative will be redacted prior to the customer's review.

Examples include, but are not limited to:

- Public Assistance Fraud Division (PAFD) Reports
- Whereabouts of an absent parent (provided by a child support agency)
- Domestic Abuse
- Criminal Background
- Minor Consent Services
- Child Welfare Services (CWS/CPS) findings
- Department of Health Care Services (DHCS) Investigations
- Foster Care or Adoptions Information
- Juvenile Court Detention Records & Minutes
- Information protected by attorney-client privilege
- Informant identity
- Certain case information obtained through the Income Eligibility Verification System (IEVS)
- Medical records provided by a third party
- Other privileged communication.

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Customers or Authorized representatives requesting an entire case review on an active case will be referred to Eligibility Operations Regional Support staff and will be subject to the review procedures. Reviews requested in preparation for a State Hearing should be referred to the Appeals section.

Requests to review a closed case should be directed to ACCESS. This does not include Public Records Act (PRA) requests.

Procedure:

1. The complete case record, except for privileged communication and information not provided solely by or authorized by the customer, will be made available for inspection in CalWIN/AuthMed by appointment with Eligibility Operations Regional Support staff. Case Comments are to be shared, if requested, unless they contain privileged information or information provided by third parties.
2. When a customer requests to inspect their case record, for the CalWORKs, CalFresh, TCVAP and Refugee Case Assistance Programs, staff are required to complete form CW 2213 "Response to Request to Inspect Case Record" and provide to the customer at the time of the request. Form CW 2213 will be forwarded to Eligibility Operations Regional Support Staff immediately upon completion. A signed copy of the form will be imaged and retained in the customer's case record.
3. When a customer requests to inspect case records that contain a mixture of privileged and non-privileged information, the privileged information will be redacted.
4. Case inspection will be permitted only during normal business hours.
5. The reviewers will not be permitted any hands on access to a computer, entry into CalWIN/AuthMed or to remove, alter, photocopy or photograph anything in the case record. Reviewers will be permitted to make notes on what they see in the case record. Upon request, specific items in the case record may be photocopied by county staff for the reviewer. Program Guides and other regulations will be available online during the case review. Photocopies of applicable regulations may be made, however, entire chapters are not to be photocopied.
6. Staff will record in the Case Comments all requests for inspection of case records.

Impacts:

All Programs

References:

ACL 16-02
CPG 19-000.D
CFPG 63-357
GRPG 90-050.5
MPG 2.1.7.A
CMSPG 03.04

Sunset Date:

This policy will be reviewed for continuance by 04/12/2019.

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Approval for Release:

Handwritten signature and date: Rick Wanne, 4-12-14

Rick Wanne, Director
Eligibility Operations