

# Medi-Cal Program Guide Letter #723

September 6, 2011

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**Subject**            **CONFIDENTIALITY**

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**Effective Date**    Upon receipt.

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**Reference**

- ACWDLs 86-37, 95-43, 96-41, 02-42, and 08-04;
- MEPM 2H, and
- MPG SN 01-22

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**Purpose**

The purpose of this Letter is to provide staff with updated information and instructions governing the confidentiality of HHSa case records. Updates include:

- Clarified procedures on appointment of authorized representatives (AR) and release of confidential information.
- Changes to case inspection procedures.
- Previously issued procedures on BIC ID issuance to Medi-Cal providers.
- Rescission of MPG Special Notice (SN) 01-22: Information Sharing with Public Health Nurses.

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**Background**

Appointment of AR  
An applicant/beneficiary may sign an AR form to appoint an individual to assist him/her in establishing Medi-Cal eligibility. Information on appointment and scope of an AR is detailed in [MPG Article 4, Section 2](#).

Release of Information  
Confidential information, excluding that classified as privileged communication, shall be released for the purposes directly connected with the administration of public social services program or as authorized by the applicant/beneficiary.

Case Inspection  
Information relating to eligibility provided solely by or authorized by the applicant/beneficiary contained in the Medi-Cal case shall be open for inspection by the applicant/beneficiary or by any other person authorized in writing by the applicant/beneficiary.

BIC ID

Information to be released to Medi-Cal providers was limited to those identified under MPG 02.01.03.A.3 and excluded the beneficiary's Client Index Number (CIN) and BIC ID.

MPG SN 01-22

Per SN, a release of information from the applicant/beneficiary is not required to release limited eligibility information to Public Health Nurses.

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**Highlighted Changes**

Appointment of AR

When an AR form other than the MC 306 is used, it must contain sufficient information to identify the purpose of the form. Sufficient information shall include all elements identified in MPG 02.01.03.C.

Release of Information

This section clarifies definitions of confidential case information and privileged communications, and the circumstances for their release. Confidential case information shall only be released with proper authorization. Proper written authorization must contain the specific information and language detailed in MPG 02.01.04.D. Privileged communications, as defined, shall not be released to the applicant/beneficiary or his/her AR.

Case Inspection

All requests for inspection of case records, except for requests from the applicant/beneficiary/AR during an appeal, shall be handled by Regional Support. Authorized persons requesting review must agree to the HHSA review procedures detailed in MPG 02.01.07.D.

BIC ID

The worker will release Medi-Cal Benefit Identification Card (BIC) ID to a Medi-Cal beneficiary or provider when the conditions described in MPG 14.04.01.D are met.

MPG SN 01-22

With this Letter, MPG SN 01-22 is rescinded. Effective immediately, confidential case information, including an applicant/beneficiary's case and/or eligibility status shall not be released to Public Health nurses without proper authorization from the applicant/beneficiary.

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**ACCESS Impact**

No impact.

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**Automation Impact** No impact.

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**Forms Impact** No impact.

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**Operational Impact** All requests for inspection of case records shall be handled by Regional Support.

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**Quality Assurance Impact** Effective with the October 2011 review month, Quality Assurance will cite with the appropriate error any case that does not follow the requirements of this Letter.

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**Summary of Changes** The table below shows the changes made in the MPG sections.

<b>Article</b>	<b>Change</b>
<a href="#">Article 2, Section 1</a>	<ul style="list-style-type: none"><li>• Clarified procedures on appointment of authorized representatives (AR) and release of confidential information.</li><li>• Updated case inspection procedures.</li><li>• Incorporated previously issued procedures on BIC ID issuance to Medi-Cal providers.</li><li>• Relocated appointment of AR information from Article 4, Section 2.</li></ul>
<a href="#">Article 4, Section 2</a>	Relocated appointment of AR information to Article 2, Section 1.
<a href="#">Article 14, Section 4</a>	Added information regarding providing the provider with BIC information.

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**Manager Approval** Original signed August 29, 2011

Sylvia Melena, Assistant Deputy Director  
Self-Sufficiency Programs  
Strategic Planning and Operational Support Division

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