

Privacy Notice for Personally Identifiable Information

Effective Date: *May 29, 2020*

THIS NOTICE DESCRIBES HOW INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

Purpose of this Notice

The Department of Health and Social Services, Division of Social Services (DSS) is required by law to maintain the privacy of certain Personally Identifiable Information, known as PII, and to provide you with a notice of DSS's legal duties and privacy practices with respect to your PII. This notice describes your legal rights, advises you of our privacy practices, and lets you know how DSS is permitted to use and disclose PII.

How Your Personally Identifiable Information May Be Used or Disclosed Without Your Authorization

Your PII may be used or disclosed without your consent in certain situations, including:

- ***Statute or regulation.*** DSS may disclose PII when required by law.
- ***Reports of suspected abuse or neglect of a child:*** DSS may disclose PII to make reports of suspected abuse or neglect of a child.
- ***Judicial and Administrative Proceedings:*** DSS may disclose PII pursuant to subpoena or court orders.
- ***Law Enforcement Purposes:*** DSS may disclose PII for any person who has applied for or who receives Temporary Assistance for Needy Families, general assistance, food stamps, aid to the blind or medical assistance in the following circumstances: (i) when engaged in for purposes directly connected with the administration of such aid and assistance; (ii) when engaged in and for purposes directly connected with the administration of public social services; (iii) where the person who has applied for or who receives such aid or assistance, or a person authorized to act for such person, consents to such conduct; or (iv) where a court of competent jurisdiction orders such conduct after a finding that the need for such conduct outweighs any injury that such conduct may cause the applicant or recipient. DSS may also disclose PII to law enforcement if informed that a person who has applied for or receives such aid or assistance (i) is fleeing to avoid prosecution, custody or confinement for a felony, (ii) is violating a condition of parole or probation, or (iii) has information necessary for the officer to conduct an official duty related to a felony/parole violation.
- ***Other Government Agencies:*** DSS may disclose PII to other government agencies that give you benefits or services. This may include, among others, sharing information with the State of Delaware Department of Health and Social Services for purposes of treatment, payment or health care operations.
- ***Informing You:*** DSS may disclose your PII to tell you about benefits, services, or health-

care choices you have.

In general, except as described above, DSS cannot use or disclose your PII to anyone without your written authorization. There may be other federal or state laws that further restrict the use of PII by DSS. You may cancel your authorization at any time in writing, except to the extent that DSS has already used or shared information in reliance on that authorization.

Your Privacy Rights

You have the right:

- To see and get a copy of your PII. You must ask for this in writing. You may be charged a fee to cover copying and postage costs.
- To ask for corrections to your information if you think it is wrong or incomplete. You must request, in writing, which information you want changed and why. Your request can be denied for certain reasons. DSS must give you a written reason for denial.
- To ask for a list of who has been given your PII, with certain exceptions. This list will include the dates that the information was shared. The list will not include information provided directly to you or your family. You must ask for this in writing.
- To ask for confidential communication. You may ask that DSS share information with you in a certain way or in a certain place. For example, you can ask to be contacted at work or by e-mail.
- To ask for a paper copy of this notice at any time.
- To not disclose your Social Security Number. However, failure to do so will result in denial of eligibility.

If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights.

A request for inspecting, copying, amending, making restrictions, or obtaining an accounting of your health information must be made in writing to:

Division of Social Services
1901 N. DuPont Highway
New Castle, Delaware 19720

For more information, please call DSS customer service at 1-800-372-2022.

Changes to this Notice

This notice may be changed or amended at any time. The changes are effective for all medical information, including what is on file. A new notice will be sent to you when changes are made. DSS will also post the new notice on its website at:

www.dhss.delaware.gov/dhss/dss/index.html

Complaints

If you believe your privacy rights have been violated, you may file a complaint by writing to:

Region III, Office for Civil Rights
U.S. Department of Health and Human Services
150 S. Independence Mall West
Suite 372, Public Ledger Building
Philadelphia, PA 19106-3499

Main Line: (215) 861-4441
Hotline: (800) 368-1019
FAX: (215) 861-4431
TDD: (215) 861-4440

You will not lose benefits or eligibility or otherwise be penalized for filing a complaint with the federal government.

Si necesita esta noticia en Espanol favor de llamar 1-800-372-2022.

Last Updated: 5/29/2020