TO:    DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
       DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
       FAMILY INVESTMENT SUPERVISORS AND CASE MANAGERS
       HEALTH OFFICERS, LOCAL HEALTH DEPARTMENTS
       LOCAL HEALTH DEPARTMENT ELIGIBILITY STAFF

FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR
      JOSEPH E. DAVIS, DIRECTOR, DHMH, OOEP

RE:    CONFIDENTIALITY OF RECORDS

PROGRAM AFFECTED:  MEDICAL ASSISTANCE PROGRAM

ORIGINATING OFFICE:  OFFICE OF PROGRAMS

SUMMARY: Recently a local department was contacted by a collection agency
requesting information on the status of medical assistance applications filed by
customers that received services at hospitals for which the agency provides collection
services. Information Memo 04-09 dated October 1, 2003, discusses disclosure of
information provided by individuals or families that have applied for federal, state or
local assistance programs. Information provided by individuals is protected under the
Privacy Act of 1974 and under the Food Stamp Act of 1977. In addition, the Maryland
Annotated Code Article 88A, §6 and the Code of Maryland Regulations (COMAR)
provide protection against disclosing information except in specific instances.

ACTION REQUIRED: Prior to releasing information on customers who have applied for
or receive Medical Assistance, please review the following section of Information Memo
04-09 that cites the conditions under which we may release customer information:

“Medical Assistance records and information may be disclosed only for a purpose
directly connected with administration of a Medical Assistance program including:

1. Establishing eligibility;

2. Determining the extent of coverage under the Medical Assistance Program;

3. Providing services for recipients;
4. Assisting the Child Support Enforcement Administration (CSEA) in locating absent parents; and

5. Conducting or assisting an investigation, prosecution, or civil or criminal proceeding related to the administration of the Program.”

Collection agencies do not meet these conditions.

As a reminder, before releasing any medical assistance information to anyone meeting these conditions, we must have a detailed, signed and verified Consent For Release of Information (DHR/SSA 704) form. You can release information directly to the customer without a consent form.

INQUIRIES: Please direct questions to Deborah Weathers at 410-767-7994.

cc: FIA Management Staff
    Constituent Services
    DHR Help Desk
    DHMH Management Staff