



Department of Human Resources
 311 West Saratoga Street
 Baltimore MD 21201

**Family Investment Administration
 INFORMATION MEMO**

Issuance Date: August 29, 2005

Effective Date: Immediately

Control Number: #06-08

**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, OOE**

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