

Privacy/Security

UPDATE

DEPARTMENT OF HUMAN SERVICES

ISSUE NO. 22

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Resources

Privacy Program

(503) 945-5780

Information Security

(503) 945-6812

Information Security/ Privacy Web site

[www.oregon.gov/DHS/
admin/infosec/](http://www.oregon.gov/DHS/admin/infosec/)

Privacy Help Email

PrivacyHelp, DHS

Information Security Email

SECURITY, DHSINFO

Privacy Policies

[www.dhs.state.or.us/policy/
admin/privacylist.htm](http://www.dhs.state.or.us/policy/admin/privacylist.htm)

Information Security Policies

[www.dhs.state.or.us/policy/
admin/infosecuritylist.htm](http://www.dhs.state.or.us/policy/admin/infosecuritylist.htm)

*Send requests for
future Privacy/Security
Update topics to:
dhs.privacyhelp@state.or.us*



Who owns client-related information?

“Clients have the right to access, inspect, and obtain a copy of information on their own cases in DHS files or records, consistent with federal law and the Oregon Public Records Law.”

This statement is quoted from the DHS Client Privacy Rights Policy #AS-100-02 and is consistent with the federal HIPAA Privacy Rule. There are exceptions to that statement, as you might well expect.

Examples of those exceptions include psychotherapy notes, information compiled for use in civil, criminal, or administrative proceedings, information that, in good faith, DHS believes can cause harm to the client, participant or to any other person.

The entire list of exceptions can be found in the policy at the following Web site: http://www.dhs.state.or.us/policy/admin/privacy/policies_procedures/as100-02.pdf. The exceptions must be evaluated when a client requests access to his/her own file.

But, to answer the question of information ownership, the client owns his or her information. It doesn't matter where the information or report originated and it doesn't matter who paid for the report such as when DHS requests and pays for a psychological assessment.

The information about the client in a client file belongs to the client. Therefore, unless the request can be denied for reasons listed in the policy, clients should be allowed access to information regarding themselves in their own case file.

Requests for that access are to be made on DHS Form #2093 (<http://dhsforms.hr.state.or.us/forms/databases/FMPRO>) and should be presented to the branch office where services have been provided.

Privacy Contacts

Privacy Officer

Jane Alm, (503) 947-5255

Privacy Coordinators

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Important Shuttle Mail Information

DAS provides shuttle service to 93 state agencies, boards, commissions, and counties. They make 490 stops delivering 23,000 pounds of mail daily. That's 476,000 pounds per month! Remember the following guidelines when using DAS shuttle service:

- * DAS shuttle cannot deliver to a PO box. They must have a physical address.
- * A return address is required on any letter, parcel, or interoffice envelope sent via shuttle, and beware of interoffice envelopes that do not have spaces for writing a complete recipient address or a complete return address. Create enough space by using several lines, or use preprinted address labels.
- * Significant privacy issues can result from mail that is inadequately addressed or lacks a return address.
- * Use the Mail Processing and Privacy Web site to access DAS' shuttle

Mail Processing and Privacy Web site

The Information Security Office launched a new Web site in mid-2007 to help with mail processes. It is for regular letter and package mail, not electronic. The site provides tools and resources to ensure client and employee privacy when the state shuttle or other mail services deliver DHS envelopes and parcels. Take advantage of the resources available on this site:

<http://www.dhs.state.or.us/mail/>

Let's prevent smash-and-grab thefts

There has been an increase in thefts from both employee- and state-owned vehicles, including laptops, cell phones and client and employee paper files, which expose sensitive information. To reduce these thefts from vehicles:

- * Leave confidential information and files in the office unless it is absolutely necessary to remove them.
- * When transporting confidential information, keep it with you whenever possible. Remove it from the vehicle overnight (Reminder: there must be manager approval before removing confidential information or any other state property from the workplace). If it must be left in the vehicle, place it in the trunk or covered in the back of a vehicle without a trunk.

Make confidentiality and data protection a part of your unit's routine:

- * Discuss this topic at staff meetings, and create an office procedure for taking confidential information offsite.
- * Draft a reminder checklist to be used by anyone taking client or personnel files offsite.

If a theft includes confidential information, report the incident to the Information Security Office: 503-945-6812 or dhsinfo.security@state.or.us

BCP planners busy with process modeling

What is a process?

- * **Information Security Office:** Responding to privacy incidents
- * **Financial Services:** Cash to institutions and branches
- * **Office of Forms and Documents:** Issuance of EBT cards
- * **Oregon State Hospital:** Availability of hospital beds
- * **Children, Adults and Families:** Child protective services screening and assessment

These are just some of the over 150 processes identified for the department.

What is process modeling?

Process modeling is a method of collecting critical information regarding core organizational components. Process modeling is defining your business process on a day-to-day basis, outside the scope of an incident.

Examples include vendors used, resources needed, key people and teams, regulatory requirements that need to be followed, computer applications used, etc.

Why is process modeling an important step to planning?

Process Modeling maps the core components of business operations to obtain a true picture of criticality. Defining these elements also gives your business area a greater understanding of your processes and gathers elements for knowledge sharing and plan development. This information, when collected in the software tool for business continuity planning, will allow us to see the “big picture” of DHS, as an agency, which has not been previously available in a central location before. This type of information includes just some of the following:

- * Which department-wide processes are implemented at which locations
- * What department-wide processes are dependent on certain applications
- * What applications are our processes dependent on
- * What processes are dependent on other processes
- * Who are the agency’s key vendors
- * Where are the agency gaps

This critical, hands on information will help the department both on a day-to-day basis and during an incident from a business continuity perspective.

“PROCESS MODELING” continued on next page...

One record holder per authorization form

Just a reminder—separate Authorization Forms (#2099) must be completed for each record holder. See Section “B” of the Authorization Form Instructions (#2099I).

There is a reason for this. By listing more than one record holder on a single form, the different record holders are subsequently informed that the client/patient has received services from the others.

This does not fit with our “need to know” and “minimum necessary” policy requirements. If you have questions about this you may contact the Privacy Contact for your program area. Those names are listed in this Update.

Your 2008 Privacy Representative

Program area privacy representatives for 2008 are listed on the second page of this Update.

If you have privacy questions or issues you can contact them for guidance.



"PROCESS PLANNING" continued...

- * The BCP Program completes and distributes a department policy regarding BCP for review and finalization.
- * The BCP Program implements a department wide awareness and education plan for staff.

For BCP-related questions, send an email to:
dhsbcp@state.or.us

For a list of DHS business functions and additional information, link to the DHS Business Continuity Planning Web site:

<http://www.dhs.state.or.us/admin/infosec/bcp/>

COMING SOON
DHS Business
Continuity Planning
(BCP) training online!

The information provided in the Privacy/Security Update is intended for employees of the Oregon Department of Human Services.

It is not intended as advice, legal or otherwise, to any entity outside of the department.

DHS BCP Coordinators

Program Sponsor: Clyde Saiki,
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