

Cindy Becker

Authorized Signature

Number: AS-AR-04-003

Issue Date: 06/14/04

Topic: Information Security & Privacy

Due Date: 07/01/04

Subject: Use of Confidential Disclaimer Statements in Email Messages

Applies to (check all that apply):

- | | |
|--|---|
| <input checked="" type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Children, Adults and Families | <input type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Other (please specify): |

Action Required: Confidential Disclaimer Statements to be removed from regular everyday business email messages effective July 1, 2004. Further instruction on the attached memo.

Reason for Action: Disclaimers should be used only in specific situations, when the information contained in the email message fits the definitions provided in the Action Request. This Action is requested by DHS Deputy Director.

Field/Stakeholder review: Yes No

If yes, reviewed by:

If you have any questions about this action request, contact:

Contact(s):	Jane Alm, DHS Privacy Officer		
Phone:	503-947-5255	Fax:	503-947-5396
E-mail	jane.alm@state.or.us		

**Please do not respond directly to this message.
Contact information is provided below.**

MEMO

Date: June 14, 2004

To: All Staff

From: Information Security Office
Privacy Program

Subject: The Use of Confidential Disclaimer Statements in Email Messages

Staff has raised questions about when or if they need to use confidential disclaimer statements in their email messages. This memo is to clarify the appropriate use of disclaimer statements in email.

Disclaimers should only be used in the specific circumstances described below. Confidential disclaimer statements should only be used when an email contains the following:

- Confidential information that includes any personal information relating to a DHS client that DHS may have in its records or files.
- Any single item or compilation of information or data that indicates or reveals the identity of an individual either specifically (such as the individual's name or social security number), or that does not specifically identify the individual but from which the individual's identity can reasonably be ascertained.
- Any individually identifiable health information that relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or past, present, or future payment for the provision of health care to an individual.
- Information that would reveal or otherwise identify security measures, or weaknesses or potential weaknesses, in security measures pertaining to information processing, communication, or telecommunication systems.

- Including a confidentiality disclaimer in an email message does not guarantee that the information contained in the message will be exempt from disclosure under the Public Records Law.
- The disclaimer should always be placed at the top of the email and included in the message or at the bottom.
- Disclaimers should not be part of the signature line

Personal Information – Here is an example of a standard DHS confidentiality disclaimer for emails containing personal information:

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

Security Information – Here is an example of a standard DHS confidentiality disclaimer for emails containing security information:

This email may contain information that could compromise information security by revealing or otherwise identifying security measures, or weaknesses or potential weaknesses, pertaining to information processing, communication, or telecommunication systems. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

Disclaimer statements should not be used unless the email contains the items as described above. Adding disclaimers needlessly unduly lengthens your emails and is not an appropriate use of the warning.

Disclaimers should be removed from regular everyday business email messages effective July 1, 2004.

For questions please contact Jane Alm, DHS Privacy Officer, at 947-5255 or email dhs.privacyhelp@state.or.us