 Department of Children & Family Services <i>Building a Stronger Louisiana</i>	Division/Section	Family Support
	Chapter No./Name	07 - Administrative Procedures Manual
	Part No./Name	E-CONFIDENTIALTY
	Section No./Name	E-500 Information That Can Be Released
	Document No./Name	E-510 Information That Can Be Released
	Effective Date	November 1, 2015

I. STATEMENT OF POLICY

* The department of Children and Family Services (DCFS) has established policies regarding what information can be released concerning applicants and recipients of the Supplemental Nutrition Assistance Program (SNAP), Family Independence Temporary Assistance Program (FITAP), and Kinship Care Subsidy Program (KCSP). **

E-511 INFORMATION AVAILABLE FOR PUBLIC INSPECTION

Each local office shall keep in mind that any citizen may request the following information and shall extend courtesy to inquirers and provide a comfortable place in the reception area for the inspection of the requested materials.


- Any copies of regulations, plans of operation, State manuals and Federal procedures which are maintained in parish and regional offices, shall be available for public inspection during regular working hours.
- The names of recipients and the amounts paid them are available for public inspection except in the SNAP and the Medicaid Program. Use of this information for commercial or political purposes is unlawful. The names of recipients and the amounts paid them shall be available from the INFOPAC reports LABI06P1 through LABI06P4, LABI08P1 and LABI08P2 for three preceding fiscal years. If the inquirer wishes to know the address of a recipient, the parish office shall not supply this information since it is not shown on the INFOPAC reports. Any person desiring to inspect these INFOPAC reports shall complete form 39 (Refer to Chapter 4, Part Y, OFS 039, Request to Inspect Register of Assistance Payments for complete instructions).

E-512 RELEASE OF CONFIDENTIAL INFORMATION

Subject to the exceptions enumerated in document [E-410](#), confidential information may be released to an applicant, recipient or his legal representative provided that the applicant, recipient or his legal representative has completed and signed the form * [DCFS 35](#) **. Parish office staff may assist the applicant, recipient or his legal representative in determining what information or documentation is required and in completing the form * [DCFS 35](#) ** if requested to do so.

Subject to the exceptions enumerated in document [E-310](#), section E-315, [E-410](#) and [Section E-700](#), confidential information may be released to an outside source, not directly connected with the administration of the * [ES](#) ** Programs only upon written request of the outside source and only after written waiver by the applicant, recipient, currently authorized representative, or his legal representative (execution of form * [DCFS 35](#) ** or other acceptable consent form).

Disclosure of information concerning applicants and recipients is restricted to persons directly connected with the administration or enforcement of the provisions of the Food and Nutrition Act, regulations of the SNAP Distribution Programs as defined, or with other Federal or federally-aided,

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means-tested assistance payments programs such as Title IV-A (FITAP or KCSP), XIX (Medicaid), or XVI (SSI) or with general assistance programs subject to the joint processing requirements. All or any parts of case records shall be made available to the Parent Locator Service upon request.

The current address, social security number, and if available, photograph of a SNAP, FITAP, and/or KCSP recipient shall be made available upon written request to any Federal, State or local law enforcement officer if the officer furnishes the recipient's name and notifies the agency that the individual:

- a. is fleeing to avoid prosecution, custody or confinement after conviction * for committing a crime or attempting to commit a crime that is a felony under the law of the place from which the individual is fleeing (or a high misdemeanor in New Jersey); ** or
- b. is violating a condition of probation or parole imposed under Federal or State law; or
- c. has information that is necessary for the officer to conduct an official duty related to a and b above.


The law enforcement officer must demonstrate that locating or apprehending the recipient is an official duty, and that the request is being made in the proper exercise of an official duty.

Any document which contains Federal Tax information cannot be made available to any entity not involved in determining eligibility or benefit amount for SNAP, FITAP, and/or KCSP. Refer to document [E-310](#), section E-315.

Otherwise, governmental authorities, the Courts, and law enforcement agencies shall be considered the same as any other outside source (unless excepted by [E-410](#)). No fees shall be charged for photocopies. The certification of receipt of FITAP benefits may be released to an employer for purposes of claiming tax credit under [P.L. 94-12](#), the Tax Reduction Act of 1975.

Upon request of any authorized person, the most recent address and place of employment of any absent parent shall be provided if such information is available, notwithstanding any other provisions of this section. For the purposes of this section, the term "authorized person" shall mean:

- Any agent or attorney or any state agency, which has the duty or authority to seek to recover any amounts owed as child support;
- Any court of competent jurisdiction which has authority to issue an order against an absent parent for the support and maintenance of a child, or any agency of such court; and
- Any resident parent, legal guardian, attorney, or agent of any child, except a child currently receiving FITAP benefits, without regard to the existence of any other court order against an absent parent who has a duty to support and maintain any such child.

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In SNAP, use or disclosure of information obtained from SNAP applicant households, exclusively for SNAP, shall be restricted to the following persons:

- Persons directly connected with the administration or enforcement of the provisions of the Food and Nutrition Act or regulations, other Federal assistance programs, or federally assisted State programs, which provide assistance on a means-tested basis to low income individuals;
- Employees of the Comptroller General's Office of the United States for audit examination authorized by any other provision of law; and
- Local, State or Federal law enforcement officials, upon their written request, for the purpose of investigating an alleged violation of the Food and Nutrition Act or regulations. The written request shall include the identity of the individual requesting the information, and his authority to do so, the violation being investigated and the identity of the person on whom the information is requested.

In SNAP, all or any parts of case records shall be made available upon written request, without State Office approval and without charge, to district attorneys or U.S. attorneys prosecuting clients for SNAP fraud or other program violations when such records are subpoenaed or requested. All or parts of case records needed for such purposes shall first be reproduced, the original material given to the attorney, and the reproduced material placed in the case folder retained by *** ES. ****


In SNAP, after completion of a form *** DCFS 35** or **DCFS 35-H, **** a responsible member of the household, its *** current **** authorized representative, or a person acting in its behalf may review material and information contained in the case file during normal business hours. However, any confidential information, such as names of individuals who disclosed information about the household without the household's knowledge, or the nature or status of pending criminal prosecution, shall be withheld.

It is permissible to release information concerning child abuse and neglect of FITAP or KCSP recipients.


It is permissible to release information regarding FITAP applicants and recipients for purposes directly related to the Foster Care and Adoption Assistance programs under Title IV-E of the Social Security Act.

It is permissible to release questionable information provided by the client to the source of the information (example, landlord, employer, etc.) in order to confirm the validity of the information.

E-513 RELEASE OF INFORMATION TO THE NEWSPAPERS

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[R.S. 46:236.5](#) provides that a list of names and addresses of all persons found guilty of criminal neglect of family under [R.S. 14:74](#) or found in contempt of court for failure to pay child support as ordered under [R.S. 14:75](#) shall be released to newspapers upon request.

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E-514 FEES FOR PHOTOCOPYING


It is the policy of the DCFS to adhere to the guidelines established and exceptions approved by the Division of Administration regarding charges for copies of public records.

- There shall be no charge for examination or review of public records.
- Charges for single page copies of public records on either microfiche or paper 8 1/2 x 14 inches or smaller shall be twenty-five cents (\$.25) for the first copy. Charges for each additional copy shall be one dollar. On multi-page documents, the cost shall be twenty-five cents (\$.25) for the first copy of each page and one dollar for each additional copy of each page. A two-sided copy shall be considered two pages.
- Charges for copies of public records on paper larger than 8 1/2 x 14 inches shall be at the same rate as the actual cost of copying the same.
- Charges for providing records on preprinted computer reports shall be at the same rate specified above.
- Charges for providing printouts of public records stored in a computer database utilizing routine utility programs shall be five cents (\$.05) per page.

When any outside party requests the reproduction of public records stored in an *** ES **** database, and the reproduction will require program modification or specialized programs, an estimate must be obtained from Information Services through the appropriate Executive/Division Director. The requesting party shall be advised of the amount of the estimate and reminded that the actual costs for reproduction, including programming costs, will be charged if the actual cost differs from the estimate.

- There shall be no charge for copies of public documents requested by applicants/recipients when the material is to be used in preparation for a fair hearing.
- The fees charged for photocopies shall be paid by check or money order made payable to *** ES. **** Such checks or money orders shall be forwarded by memorandum to Fiscal Services, accompanied by the Record of Remittance, form [OFS RR 1](#). The memorandum shall explain that the check or money order was for payment of a photocopying fee and shall be deposited into the State General Fund as income not available.
- A receipt shall be given for all monies received for copies of public documents.

For further details on fees for photocopies, refer to [DSS Policy Section 6-3](#).

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II. PROCEDURES

* There are no procedures associated with this policy. **

III. FORMS AND INSTRUCTIONS

* There are no forms and instructions related to this policy. **

IV. REFERENCES

* [R.S. 46:236.5](#)

[R.S. 14:74](#)

[R.S. 14:75](#)

[7 CFR 272.1](#) **