



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

July 7, 2011

ALL COUNTY INFORMATION NOTICE NO. I-33-11

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHIEF PROBATION OFFICERS

SUBJECT: STATEWIDE ACCESSIBILITY, USE, AND CONFIDENTIALITY
REGARDING DATA WITHIN THE CHILD WELFARE SERVICES/CASE
MANAGEMENT SYSTEM (CWS/CMS)

REFERENCE: WELFARE AND INSTITUTIONS CODE (W&IC) SECTION 10850(A),
10850(C) AND 10850.3; MANUAL OF POLICY AND PROCEDURES
(MPP) SECTIONS 19-002 AND 19-004.31.

The purpose of this notice is to inform counties of policy change regarding Statewide Read access privilege and to provide state requirements and guidance concerning the statewide sharing, utilization, and confidentiality of data within the CWS/CMS.

Previously in CWS/CMS, county access to case information residing in another county was limited. So that counties may access relevant cross-county and department case data, the California Department of Social Services (CDSS) will grant each county the ability to manage the access of CWS/CMS information on a statewide basis. CDSS will issue Statewide Read privilege, also known as Statewide Read Override Access authority, to a county-designated CWS/CMS Administrator. The administrator is then responsible for providing the authorities and privileges to their individual staff as needed to review statewide case information deemed pertinent to current business needs. Any administrator, or user with granted authority, will have access to CWS/CMS case or referral information on any child, irrespective of county and/or department ownership. Counties should modify local information security standards and practices as needed, to ensure the integrity of all data within CWS/CMS. With the benefit of increased information available to all counties, CDSS reminds all counties that the responsibility of maintaining strict data confidentiality now applies to all case information accessed through their individual networks. Each county is dependent upon every other county to enforce data security measures.

The access and utilization of confidential client data in CWS/CMS is for child welfare and juvenile probation foster care case management business purposes only. Access authority granted to county staff must be used to support and facilitate child welfare case management including, but not limited to:

- Safety assessments of prior referrals;
- Case planning;
- Out of home abuse and licensing referrals/investigations;
- Placement documentation and decisions;
- Services delivery to other county's children placed in my county;
- Out-of-county Mental Health access;
- Relative/Non-Relative Extended Family Members Assessments;
- National Youth in Transition Database-related service documentation;
- Family finding efforts; and
- Eligibility.

Case and referral information marked Sensitive (confidential), will require an additional privilege and access should be highly scrutinized. Additionally, the access and use of information within CWS/CMS for case management business purposes only is in accordance with MPP section 19-004.31, and W&IC section 10850(a):

Except as otherwise provided in this section, all applications and records concerning any individual made or kept by any public officer or agency in connection with the administration of any provision of this code relating to any form of public social services for which grants in aid are received by this state from the US government shall be confidential and shall not be open to examination for any purposes not directly connected with the administration of that program, or any investigation, prosecution or administration of that program.

However, pursuant to a court order (i.e., warrant), CWS/CMS information may be shared and/or used for law enforcement purposes, per MPP section 19-002 and W&IC section 10850.3(a):

Notwithstanding Section 10850, an authorized employee of a county welfare department may disclose confidential information concerning a public social services applicant or recipient to any law enforcement agency where a warrant has been issued for the arrest of the applicant or recipient for the commission of a felony or a misdemeanor. Information that may be released pursuant to this section shall be limited to the name, address, telephone number, birth date, social security number, and physical description of the applicant for, or recipient of, public social services.

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If you have any questions or need additional guidance regarding the information in this notice, please contact the CMS Support Branch at (916) 651-7884 or at CMSAdminSvcUnit@dss.ca.gov.

Sincerely,

Original Document Signed By:

KEVIN GAINES
Assistant Deputy Director
Children and Family Services Division