

1059.0 CONFIDENTIAL MATERIALS – Collection, Storage, Disposal

1059.1 Policy

1059.1.1 This policy pertains only to the collection, storage, and disposal of confidential materials.

1059.1.2 The policy is intended to ensure that confidential material handled by the Department of Human Services (DHS) is safeguarded in accordance with established statutes and regulations. All DHS divisions, county offices and institutional facilities will have in place procedures which guarantee that confidential information is securely stored, and, when appropriate, disposed of in a manner that does not compromise the integrity of the confidential nature of the materials and is in accordance with all regulations, policies and procedures pertaining to said information.

1059.1.3 Release, publication or dissemination of Departmental information/materials is covered under DHS Policy 1053 - Freedom of Information.

1059.2 Definition

1059.2.1 Confidential materials:

- A.** All materials which are defined as confidential pursuant to State or Federal laws or regulations (specific documents will be identified by the appropriate program or support division). The Office of Chief Counsel will assist and guide divisions and their appropriate personnel in the determination of the confidentiality of material.
- B.** All materials which contain any identifying information pertaining to a client of the Department, specifically including client names, social security numbers, addresses and telephone numbers.
- C.** All materials which contain information associated directly or indirectly with an on-going disciplinary action involving a DHS employee or contracted agent.
- D.** All medical records, scholastic records and adoption records.
- E.** All information pertaining to any investigation conducted by the Department.
- F.** Any other materials which the division considers confidential and has "Confidential" concurrence from the Office of Chief Counsel.
- G.** Such materials, whatever the subject, include data recorded on computer hard drives and computer disks.

1059.3 Divisional Procedures

- 1059.3.1 Division directors, or their designees will be responsible for the development and the maintenance of procedures covering the collection, storage, and disposal of all confidential materials for their respective divisions.
- 1059.3.2 Procedures must be written and approved by the division directors of the appropriate divisions handling said materials.
- 1059.3.3 Procedures must set out the designation of confidential materials, their controlled storage and proper disposal when appropriate. These procedures will include, at a minimum:
- A. A system which clearly identifies confidential materials generated or collected.
 - B. The title(s) of the responsible custodian(s).
 - C. The manner and location(s) of storage of confidential materials.
 - D. A system of destruction of confidential materials which ensures absolute security.
 - E. The system of control and disposal must track the material while being stored by DHS and provide a verification process (which includes the manner of disposal) when materials are destroyed.
- 1059.3.4 The requirement for clearing all confidential data from surplus DHS computer equipment is discussed in DHS Policy 1100, Disposal of Surplus Computer Equipment.

1059.4 Originating Section/Department Contact

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