

**County of Orange Social Services Agency
Family Self-Sufficiency**

Program/Area: CalWORKs/Welfare-To-Work

Title: Client Access to Their Case Records

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Signature on File

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PURPOSE

The purpose of this policy is to provide clarification and guidance regarding regulations that govern access to public assistance case records when an applicant or recipient (client) requests to inspect his or her own case record.

This policy pertains only to clients requesting general access to their California Work Opportunity and Responsibility to Kids (CalWORKs), state-funded Trafficking and Crime Victims Assistance Program (TCVAP), and Refugee Cash Assistance (RCA) case records.

For guidance regarding a client's ability to inspect their case records when an administrative hearing has been requested, or to inspect documents related to a fraud investigative file, please refer to Administrative Services Division, Program Integrity Policy.

For guidance regarding a client's ability to inspect their CalFresh case record, please refer to Adult Services and Assistance Program (ASAP), Division Policy.

DEFINITIONS

Case Records

Documents and information pertaining to eligibility and case management, as well as information received from external sources such as Income and Eligibility Verification System (IEVS) printouts, medical information, employment information, and court orders.

Authorized Representative (AR)

A person or group who has authorization from the client to act on his or her behalf. Authorization may include permission to access non-privileged or privileged case information.

The AR who has written authorization from the client is permitted to act on the client's behalf and is therefore allowed to inspect and/or receive hard copies of non-privileged information contained in the case record regardless of whether the client is present.

CLIENT ACCESS TO INSPECT THEIR OWN CASE RECORD In general, a client’s case record is confidential and not open to inspection for any purpose outside of the administration of the program. However, a client may request to inspect their own case record including case narratives.

ACCESS TO INSPECT A CASE RECORD BY AN AUTHORIZED REPRESENTATIVE Non-privileged and non-confidential documents in a case record may only be inspected by the client. However, an Authorized Representative (AR) may inspect the same information that the client has authorization to inspect. An AR may be anyone the client chooses, including their legal counsel.

Written authorization for an AR to inspect documents must include the name of the AR and be signed and dated by the client.

[Form ABCDM 228 Applicant’s Authorization For Release of Information](#) may be used for this purpose.

Telephone authorization may be accepted in lieu of written authorization when the client has adequately identified themselves to the agency.

For telephone authorization, staff can adequately verify the identity of the client by asking both of the following questions:

- May I please confirm your name, social security number, and date of birth?
- May I please verify your current address and phone number?

The [Authorized Representative CalWIN Resource Guide](#) provides step-by-step instructions for obtaining written authorization for an AR.

LIMITATIONS ON ACCESS TO CASE RECORDS Due to the wide variety of individual circumstances, an assessment of each client request to access their case record should be performed to determine if and when the client has authorization to inspect their case in its entirety, or if certain information in the case should be redacted.

A member of a household or Assistance Unit (AU) generally may not have access to a document that pertains to another member of the AU or household without written authorization from the client.

Examples of privileged information and documents a client may not have access to include:

- The whereabouts of an absent parent
- Information regarding the status of children being removed from the home by Child Welfare Services
- Domestic abuse
- Criminal background
- Mental health and substance abuse treatment
- Learning disabilities
- Information pertaining to minors authorized by law to consent to medical treatment
- Information from a third party that was not obtained through authorization by the client

If a client requests to inspect a document in his or her record that contains a mixture of privileged and non-privileged information, the document may be provided to the client with privileged information redacted.

**FACILITATING
CLIENT
INSPECTION OF
THEIR CASE
RECORD**

Inspection of case records should be provided as expeditiously as possible to ensure client's requests are met.

Clients will be permitted to inspect their records upon appointment during normal business hours.

Clients requesting access to their case record will be asked to complete [Form CW 2213 - Response to Request to Inspect Case Record](#).

Upon receipt of the [CW 2213](#), the IEES/CEES/CM/CWET will notify their supervisor of the request. Together they will complete the agency section of the [CW 2213](#) form indicating which records will be provided and if any information has been redacted and returned to the client within three business days. A copy of the signed [CW 2213](#) must be virtually printed and imaged into OnBase with the client's case record.

Supervisors are encouraged to consult with FSS Program via chain of command to assess the circumstances of the request and if any information the client is requesting access to should be redacted based on confidentiality.

Depending on the individual circumstances regarding a particular client request for access to their case record, FSS Program and/or Regional Management may consult with county counsel regarding which documents should be withheld or redacted to protect privileged or confidential information.

Once the assessment of the request has been completed and a

decision is made regarding the information the client may inspect, an appointment must be made for the client to review their records. Regional Management shall determine the appropriate worker designated to contact the client and set-up their appointment.

At the scheduled appointment, the document inspection may be provided by any combination of options including: hard copies, read-only access to electronic records in CalWIN and OnBase, or a PDF copy of scanned documents.

The scheduled appointment for inspection of case records should take place in a private area to protect confidentiality. A designated staff member or first line supervisor shall be present during the appointment to assist the client in navigating CalWIN and OnBase.

Bilingual staff or services should be arranged for the scheduled appointment if needed.

Copying fees may be applicable for hard copy duplication of documents requested by the client.

REFERENCES

[ACL 16-02 01](#)
[CW 2213](#)
ASAP Policy
Program Integrity Policy