

New Hampshire WIC Policy & Procedure Manual

Chapter 8 CERTIFICATION, ELIGIBILITY & COORDINATION OF SERVICES

A. Eligibility Determination & Documentation

Confidentiality

Purpose To protect participant, applicant, and vendor confidential personal information.

Policy Local WIC agencies shall keep participant, applicant, and vendor information confidential. The local agency shall restrict the use or disclosure of information to any person not directly connected with the administration of the NH WIC Program.

Authority **CFR 246.21(b)(d), CFR 246.26(d)(2), CFR 246.26(e), CFR 246.26(i)(1), CFR 246.26(h)(i)**

Procedure Local agency staff shall be made aware of the confidentiality policy and the importance of keeping participant records protected. All WIC staff shall sign a WIC confidentiality agreement annually as part of working in the WIC Program. This includes protection of oral, written and electronic records. The agreement is a standard one developed by the State WIC Agency that shall be used by all local agencies. See Ch.8.A. Attachment "WIC Confidentiality Agreement".

Local agencies shall provide all staff and volunteers with orientation and education regarding confidentiality upon hiring and prior to working with participants.

The local agency director or supervisor shall cover confidentiality policies and practices at in-service meetings or trainings, at least annually. This shall be documented in the training, outreach, and meeting (TOM) log.

PARTICIPANT INFORMATION

A participant is required to give written consent before any information about the individual can be released to anyone outside the WIC Program. Consent shall be based on a full understanding of what information will be exchanged, with whom it will be shared, and how it will be used. A release of information form shall be completed and kept with the daily file and a note added to the participant Admin notes.

The NH WIC Program has a universal Medical Release Form available for local agencies to use when sharing health information.

Any request for confidential information from a court or lawyer, such as a valid subpoena or search warrant, shall:

1. Be discussed with the local agency director immediately.
2. The local agency director shall contact the State WIC Director within 24 hours.

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3. The State WIC Director will then contact the NH Department of Health and Human Services Office of Legal Services to determine if the requested information is confidential and prohibited from being disclosed as stated in the subpoena.

VENDOR INFORMATION

Federal regulations include specific limitations on what vendor information may be released and to whom it may be released. Only the WIC vendor's name, address, telephone number, web site, email address, store type, and authorization status may be shared. Any other information is confidential and may not be released without prior State agency approval.

Exception

Anyone who suspects that a child is being abused or neglected is required by NH Law to call:

DCYF Central Intake Unit
8:00 AM to 4:30 PM Monday-Friday
800-894-5533 (In-state only)
603-271-6562

Information must be shared without written consent.