

DMA ADMINISTRATIVE LETTER NO. 05-02 EMPLOYMENT SECURITY COMMISSION (ESC) ACKNOWLEDGMENT OF CONFIDENTIALITY OF INFORMATION AGREEMENT

DSS ADMINISTRATIVE LETTER NO. 13-2001
ECONOMIC INDEPENDENCE
WORK FIRST AND FOOD STAMPS
DSS ADMINISTRATIVE LETTER NO. 04-2001
ADULT AND FAMILY SERVICES

DATE: AUGUST 17, 2001

**Subject: EMPLOYMENT SECURITY COMMISSION (ESC)
ACKNOWLEDGMENT OF CONFIDENTIALITY
OF INFORMATION AGREEMENT**

**Distribution: COUNTY DIRECTORS OF SOCIAL SERVICES
ANY EMPLOYEE HAVING ACCESS TO
EMPLOYMENT SECURITY COMMISSION (ESC)
DATA**

The purpose of this letter is to provide you with information concerning the security requirements for Employment Security Commission of North Carolina (ESC) data.

Effective upon receipt of this letter, an Agreement titled **Acknowledgment of Confidentiality of Information Agreement**, must be executed by each State and county employee having access to any ESC files, documents, or data.

NOTE: This Agreement is not a replacement for the Memorandum of Understanding or Agreement of Confidentiality currently being maintained by each agency. This is an ESC "agency-specific" Agreement, and is necessary in order to comply with the contract between the North Carolina Department of Health and Human Services (DHHS) and ESC.

I. BACKGROUND

DHHS contracts with ESC for data sharing. ESC agrees to provide on-line and/or computer cross match access to claims, wage history information, and

employer reference data to DHHS as prescribed in the federal regulations for Income and Eligibility Verifications System (IEVS). DHHS and its personnel agree to observe the confidentiality provisions of all governing state statutes, in particular G.S. 96.4 (t), and administrative rules for the protection of information provided by ESC. The disclosure of this information ensures that the State has accurate information upon which to base its eligibility decisions for the administration of the Food Stamp, Work First, Special Assistance, and Medicaid Programs.

II. RESPONSIBILITIES OF STATE AND COUNTY AGENCIES

Effective immediately, in order to comply with the contract between DHHS and ESC, each State and county agency must ensure the Acknowledgement of Confidentiality of Information Agreement is executed according to the procedures outlined in this letter. A copy of this Agreement is attached for use as a master for printing and execution purposes. [CLICK HERE FOR ATTACHMENT](#)

- A.** Each agency must ensure each employee is provided access to read General Statute 96.4 (t) before their signature is obtained. A copy of General Statute 96.4 (t) is attached for use and the statute can be found on-line at www.esc.state.nc.us , click About ESC, and click ESC Laws. [CLICK HERE FOR ATTACHMENT](#)
- B.** Each agency must ensure each new employee prior to having access to any ESC files, documents, or data, must execute an Acknowledgment of Confidentiality of Information Agreement.
- C.** Each agency must ensure all existing/current employees having access to any ESC files, documents, or data, must execute an Acknowledgment of Confidentiality of Information Agreement no later than 30 days from the date of this administrative letter.
- D.** The Acknowledgment of Confidentiality of Information Agreements shall be maintained in one central location on the premises of the county agency. The Agreement, along with appropriate control logs to ensure compliance by all employees, shall be available for inspection by ESC during the agency's regular business hours.

If you have any questions regarding this information, please contact your Program Integrity, Work First, Adult Services, or Medicaid Program Representatives.

Sincerely,

Nina M. Yeager, Director
Division of Medical Assistance

Pheon Beal, Director
Division of Social Services

Attachments

(This material was researched and prepared by Jan McElroy, EIS Consultant, Division of Medical Assistance.)