



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 11/12/2019

Agenda Placement: 6I

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors

**FROM:** Shelli Brobst for Jennifer Yasumoto - Director  
Health & Human Services Administration

**REPORT BY:** JoAnn Melgar, Staff Services Analyst II - 707-253-4722

**SUBJECT:** Medi-Cal Data Privacy and Security Agreements with the California Department of Health Care Services and the California Department of Social Services

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### **RECOMMENDATION**

Director of Health and Human Services requests approval of and authorization for the Chair to sign the following Medi-Cal Data Privacy and Security Agreements with:

1. The California Department of Health Care Services (DHCS) to commence upon the signature and approval of DHCS to September 1, 2022 to ensure the privacy and security of Medi-Cal Personally Identifiable Information (PII) accessed by the County in the course of performing an administrative function on behalf of Medi-Cal; and
2. The California Department of Social Services (CDSS) to commence upon the signature and approval of CDSS to September 1, 2022 to ensure the privacy and security of Social Security Administration, Medi-Cal Eligibility Data System and Applicant Income and Eligibility Verification System Personally Identifiable Information.

### **EXECUTIVE SUMMARY**

Approval of the requested action puts into effect a State-mandated Medi-Cal Privacy and Security Agreements with the California Department of Health Care Services and the California Department of Social Services to ensure the privacy and security of Medi-Cal Personally Identifiable Information (PII) that the County may access through its use of the State's Medi-Cal Eligibility Determination System.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? No  
County Strategic Plan pillar addressed: Effective and Open Government

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

#### **Agreement with Department of Health Care Services:**

Department of Health Care Services (DHCS) is required to enter into a data sharing agreement with the Social Security Administration (SSA). DHCS operates the Medi-Cal Eligibility Determination System (MEDS), which enables California counties to access the data covered under the DHCS-SSA agreement. Counties access MEDS data to track, confirm, and/or determine eligibility for public assistance programs.

The data sharing agreement between SSA and DHCS requires DHCS to diligently oversee the SSA data being accessed by multiple users (agents and contractors of DHCS) throughout the State. As agents of DHCS and the State in administration of the Medi-Cal program, counties must conform to the SSA's security and disclosure standards outlined in the SSA-DHCS data sharing agreement. DHCS is now entering into agreements with counties in order to pass on these requirements. All 58 County Welfare Departments (CWDs) are required to sign the 2019 Agreement to ensure the continued transmission of PII between the counties and DHCS.

The Medi-Cal Data Privacy and Security agreement lays out the terms and conditions for compliance with:

- | privacy and confidentiality assurance measures;
- | employee orientation and training regarding privacy and confidentiality;
- | management and oversight of workplace compliance with privacy and confidentiality measures;
- | physical security of records;
- | computer security safeguards;
- | paper document controls; and
- | notification and investigation of breaches.

#### **Agreement with Department of Social Services:**

This Data Privacy and Security Agreement must be entered into by the California Department of Social Services (CDSS) and the County to ensure the privacy and security of SSA, MEDS, and Applicant Income and Eligibility Verification System (IEVS) Personally Identifiable Information (PII), that the counties access through CDSS and DHCS. This agreement covers the following programs:

- | CalFresh
- | California Food Assistance Program (CFAP)
- | California Work Opportunity and Responsibility to Kids Program (CalWORKs)
- | Cash Assistance Program for Immigrants (CAPI)
- | Entrant Cash Assistance (ECA)/Refugee Cash Assistance (RCA)

- | Foster Care (FC) Eligibility
- | Kinship Guardianship Assistance Program (Kin-GAP) (eligibility)
- | Federal Guardianship Assistance Program (Fed-GAP) (eligibility)
- | General Assistance /General Relief (GA/GR)
- | Refugee Cash Assistance (RCA)
- | Trafficking and Crime Victims Assistance Program (TCVAP)

CDSS has an Inter-Agency Agreement with DHCS that allows CDSS and local county agencies to access SSA and MEDS data for the purpose of determining eligibility for the programs listed above. The inter-agency agreement requires that CDSS may only share SSA and MEDS data if its contract with the entity with whom it intends to share the data reflects the entity's obligations under the inter-agency agreement.

### **SUPPORTING DOCUMENTS**

- A . Department of Health Care Services Letter - All County Letter 19-16
- B . Memorandum to Board of Supervisors

CEO Recommendation: Approve

Reviewed By: Ben Guerrieri