

## **2.2.10 General Use and Disclosure of Personally Identifiable Information**

### **(a) Policy**

- (1) Personally Identifiable Information (PII) maintained by California Correctional Health Care Services (CCHCS) is private and confidential. PII shall only be obtained through lawful means. CCHCS shall use the minimum necessary PII to conduct business in compliance with federal and state law.
- (2) CCHCS workforce members may not use or disclose PII except as permitted or required by this chapter or as otherwise permitted or required by law.
- (3) The purposes for which PII is collected shall be specified at or prior to the time of collection. Information owners and staff shall not disclose, use, or make available personal information collected from individuals for purposes other than those for which it is originally collected.
- (4) CCHCS shall post the general means by which PII is protected against loss, unauthorized access, use, modification, or disclosure, unless that disclosure of general means compromises legitimate state department or state agency objectives or law enforcement purposes.

### **(b) Purpose**

To ensure CCHCS compliance with federal and state privacy requirements for state entities that maintain PII.

### **(c) Responsibility**

Oversight responsibility of the Privacy Office shall be vested in the Privacy Officer. The Privacy Officer is required to oversee privacy rights as required by laws, policies, and standards for respecting the rights of individuals with regard to the collection, use, and disclosure of personal information throughout CCHCS.

### **(d) General Use and Disclosure of PII**

- (1) CCHCS workforce members may only disclose PII in a manner that would not link the information disclosed to the individual to whom it pertains unless the information is disclosed as follows:
  - (A) To the individual to whom the information pertains.
  - (B) With the prior written voluntary consent of the individual to whom the record pertains, when consent has been obtained within 30 days before the disclosure, or in the time limit agreed to by the individual in the written consent.
  - (C) To the duly appointed guardian or conservator of the individual or a person representing the individual.
  - (D) To a governmental entity when required by federal or state law.
  - (E) As permitted or required by law.
  - (F) To a person who has provided the agency with advance, adequate written assurance that the information shall be used solely for statistical research or reporting purposes, and only if the information to be disclosed is in a form that shall not identify any individual.
  - (G) To any person pursuant to a subpoena, court order, or other compulsory legal process if, before the disclosure, CCHCS reasonably attempts to notify the individual to whom the record pertains, and if the notification is not prohibited by law.
- (2) CCHCS and its workforce shall limit PII use and disclosure to the minimum necessary amount of information required to complete the desired task.

### **(e) Information Collection and Minimum Necessary Use of PII**

Information owners shall collect the least amount of PII required to fulfill the purposes for which it is collected. Information owners shall obtain personal information only through lawful and transparent means and to the greatest extent practicable directly from the individual who is the subject of the information.

### **(f) Media Inquiries**

Institutions shall forward all media inquiries regarding the release of PII to the CCHCS Office of Communications. CCHCS shall provide responses for PII inquiries from external entities (e.g., legislative, advocacy groups) pursuant to the Health Care Department Operations Manual, Section 2.3.15, Headquarters Patient Health Care Inquiry Response.

### **(g) Training Requirements and Contact Information**

- (1) Privacy training is required for new employees during New Employee Orientation and annually thereafter.
- (2) For questions or clarification, please contact: [Privacy@cdcr.ca.gov](mailto:Privacy@cdcr.ca.gov) or 1-877-974-4722.

## **References**

- California Government Code, Title 2, Division 3, Part 1, Chapter 1, Article 1, Section 11019.9

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES  
Health Care Department Operations Manual

**References**

- California Government Code, Title 2, Division 3, Part 1, Chapter 1, Article 1, Section 11019.9
- California Civil Code, Division 3, Part 4, Section 1798 et seq.
- Health Care Department Operations Manual, Chapter 2, Article 2, Section 2.2.3, Enforcements, Sanctions, and Penalties for Violations of Individual Privacy
- Health Care Department Operations Manual, Chapter 2, Article 3, Section 2.3.15, Headquarters Patient Health Care Inquiry Response
- State Administrative Manual 5320.2, Security and Privacy Training

**Revision History**

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