

IC 12-20-7

Chapter 7. Consent to Disclosure of Personal Information

IC 12-20-7-1

Consent; form; filing

Sec. 1. (a) Each applicant and each adult member of the applicant's household seeking township assistance must consent to a disclosure and release of information about the applicant and the applicant's household before township assistance may be provided by the township trustee. The consent must be made by signing a form prescribed by the state board of accounts. The form must include the following:

- (1) The applicant's name, case number, and address.
- (2) The types of information being solicited, including the following:
 - (A) Countable income.
 - (B) Countable assets.
 - (C) Wasted resources.
 - (D) Relatives capable of providing assistance.
 - (E) Past or present employment.
 - (F) Pending claims or causes of action.
 - (G) A medical condition if relevant to work or workfare requirements.
 - (H) Any other information required by law.
- (3) The names of individuals, agencies, and township trustee offices that will receive the information.
- (4) The expiration date of the permission to disclose information.

(b) Information that is declared to be confidential by state or federal statute may not be obtained under the consent form prescribed by this section.

(c) The township trustee shall keep on file and shall make available to the division of family resources and office of Medicaid policy and planning upon request a copy of the signed consent form described in subsection (a).

(d) The township trustee shall send to the county office a copy of the signed consent form described in subsection (a).

(e) The division of family resources, county offices, and the office of Medicaid policy and planning shall make available to the township trustee upon request a copy of signed consent to disclosure and release of information forms in each entity's files.

(f) If an individual who is required to sign a form under this section is unable to sign the form in the township trustee's office due to a physical or mental disability or illness, the township trustee shall make alternate arrangements to obtain the individual's signature.

As added by P.L.2-1992, SEC.14. Amended by P.L.4-1993, SEC.193; P.L.5-1993, SEC.206; P.L.46-1995, SEC.57; P.L.51-1996, SEC.31; P.L.259-2001, SEC.5; P.L.73-2005, SEC.39; P.L.145-2006, SEC.115.

IC 12-20-7-2

Information to township trustee

Sec. 2. (a) The county office shall provide the following information to each township trustee located in the county:

- (1) Information that will identify the types of public assistance that are being provided to the individual who signed the consent form and the individual's household.
- (2) Information that will identify the amount of public assistance that is being received by the individual who signed the consent form and the individual's household.
- (3) Information that will identify the number of individuals in the household of the individual who signed the consent form who are receiving public assistance.
- (4) Information regarding the income, resources, or assets of members of the individual's household receiving public assistance.

(b) The county office must provide the information required under subsection (a) not later than fourteen (14) calendar days after obtaining the information.

As added by P.L.2-1992, SEC.14. Amended by P.L.4-1993, SEC.194; P.L.5-1993, SEC.207; P.L.46-1995, SEC.58; P.L.51-1996, SEC.32.

IC 12-20-7-2.5

Information provided to township trustee by department of employment and training

Sec. 2.5. Upon request of the township trustee, the department of employment and training services shall provide without charge information regarding:

- (1) income, resources, and assets of; and
- (2) benefits received by;

members of an applicant's household.

As added by P.L.51-1996, SEC.33.

IC 12-20-7-3

Salary and wage information

Sec. 3. Upon request of the township trustee, the employer of a township assistance applicant or a member of the applicant's household shall provide the township trustee with information concerning salary or wages earned by the applicant or household member for purposes of determining the financial eligibility of the household to receive township assistance.

As added by P.L.2-1992, SEC.14. Amended by P.L.51-1996, SEC.34; P.L.73-2005, SEC.40.

IC 12-20-7-3.5

Provision of information to determine eligibility

Sec. 3.5. Upon request of the township trustee, a person holding assets or title to assets of a township assistance applicant or a member of the applicant's household shall provide the township trustee with information concerning the nature and value of those

assets for purposes of determining the household's financial eligibility to receive township assistance.

As added by P.L.51-1996, SEC.35. Amended by P.L.73-2005, SEC.41.

IC 12-20-7-4

Use of consent forms

Sec. 4. The division of family resources and county offices shall use the consent forms received under this chapter to do the following:

(1) Assist in making eligibility determinations for public assistance programs administered by the division of family resources and county offices.

(2) Assist in reducing fraud and abuse in public assistance programs administered by the division of family resources and county offices.

As added by P.L.2-1992, SEC.14. Amended by P.L.4-1993, SEC.195; P.L.5-1993, SEC.208; P.L.145-2006, SEC.116.

IC 12-20-7-4.5

Authorized use of information

Sec. 4.5. The township trustee shall use the information received under section 2 of this chapter to assist in reducing fraud and abuse in aid programs administered by the township trustee.

As added by P.L.46-1995, SEC.59.

IC 12-20-7-5

Use of information not a public record

Sec. 5. Information that is received through the use of a consent form described in section 1 of this chapter and that is not a public record open to inspection and copying under any statute may be used only in connection with the following:

(1) The administration of the township trustee's township assistance program.

(2) The administration of public assistance programs that are administered by the division of family resources and county offices.

As added by P.L.2-1992, SEC.14. Amended by P.L.4-1993, SEC.196; P.L.5-1993, SEC.209; P.L.73-2005, SEC.42; P.L.145-2006, SEC.117.

IC 12-20-7-6

Unauthorized use or disclosure of information

Sec. 6. A township trustee, an assistant of a township trustee, or an employee or a director of the division of family resources, the office of Medicaid policy and planning, and county offices who knowingly discloses or uses information that is obtained through the use of a consent form described in section 1 of this chapter, except as authorized by this chapter, commits a Class A misdemeanor.

As added by P.L.2-1992, SEC.14. Amended by P.L.4-1993, SEC.197;

P.L.5-1993, SEC.210; P.L.145-2006, SEC.118.