

What is the authority to collect information?

42 U.S.C. § 7, “The Social Security Act” (Medicaid)
S.C. Code Ann. § 44-6-30 (1976, as amended)

What personal information do we collect?

The South Carolina Department of Health and Human Services (SCDHHS) may collect both personally identifiable and protected health information related to your Medicaid application and the management of your benefits. The information collected includes, but is not limited to:

- Personal identifying information (PII)ⁱ, such as your name, home address, home phone number, mobile phone number, date of birth, race/ethnicity, citizenship, social security number, immigration status, email address, gender, incarceration status and preferred language
- Employment information, such as employment status, employer name and employer contact information
- Financial information, such as income information, tax information, rent or mortgage payments and federal benefits or child support
- Protected health information (PHI)ⁱⁱ, such as your health insurance information, medical records, disabilities and certain other medical conditions, medical claims and other medical information
- Other PII or PHI, such as name, organization name and ID number of individuals completing Medicaid applications on behalf of others, and name, address, phone number, email, organization name, organization unit and organization ID for individuals designated as authorized representatives

Any information you provide is done so voluntarily. You may decline to provide any information at any time; however, declining to provide information may delay or prevent the delivery of services for which you have applied or requested.

What is the intended use of your information?

SCDHHS may use your PII and PHI for:

- Managing healthcare treatment that you receive through the organization
- Providing healthcare benefits and managing payments for your healthcare
- Healthcare operations, including the processing of your application for benefits, complying with federal and state laws and responding to lawsuits or legal actions

How do we share your information?

In addition to the intended uses listed above and the exceptions permitted by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the agency will limit what we share to the minimum necessary amount needed to accomplish purposes including, but not limited to:

- Medical professionals involved in your treatment
- Other health plans involved in the payment of healthcare services
- Public health and safety organizations
- Conducting research authorized by the SCDHHS
- Responding to requests from the U.S. Department of Health and Human Services or other health oversight agencies, federal or state law enforcement agencies
- Decedent affairs, such as coroners, medical examiners, funeral directors and organ procurement organizations

Information will only be shared as allowed or required by law. Unless otherwise requested in writing, your information can only be shared as set forth in the SCDHHS Notice of Privacy Practice, which can be found at:

<https://www.scdhhs.gov/internet/pdf/SCDHHSNoticeofPrivacyPractices080107.pdf>

How long will your information retained?

Your information may be retained indefinitely in accordance with federal and state laws.

How can you request a copy of or update, correct or delete your information?

To request access to or a copy of your records, or for corrections to demographic information, including name, address, phone number, age, gender, race, income, marital status, employment status, etc., contact:

Member Contact Center at (888) 549-0820 or
visit your local county eligibility office. Please go to our website at scdhhs.gov/site-page/were-go-help for complete contact information for all of our county offices.

If requesting a copy of your information, your copies must be provided to you within 30 days unless notified otherwise.

You may request to update or correct your information, or request to either delete certain information or completely remove information about you held by SCDHHS by sending a written request to:

Office of the General Counsel
SC Department of Health & Human Services
P.O. Box 8206
Columbia, SC 29202-8206

When submitting requests, please include your full name, address, phone number and date of birth so we may correctly identify your records.

If you are requesting a correction to your information and SCDHHS agrees that your current information is incorrect, then SCDHHS must change that information. If SCDHHS does not agree that your current information is incorrect, then you have the right to have your disagreement noted in your file. In most cases, the file should be updated within 60 days.

How do we secure your information?

For information held electronically: SCDHHS maintains information in accordance with state and federal laws in our secure computer network which is accessible only by authorized personnel who have a need to access their information as a part of their official duties at SCDHHS.

For paper records: SCDHHS maintains paper documents in a secure environment that is accessible only by authorized personnel. When not in use, documents are stored in a manner that prevents unauthorized access, such as locked desks or file cabinets.

How can you resolve privacy issues?

If you believe that SCDHHS has failed to protect your privacy, you can file a complaint with Janet R. Bell, Privacy Official, using the contact information provided below. You can file a complaint in person, by mail or via email. If you need help filing a complaint, we are available to help you.

SC Department of Health & Human Services
Civil Rights Division
1801 Main Street
PO Box 8206
Columbia, South Carolina 29202
Fax: 803-255-8276
Email: civilrights@scdhhs.gov
Privacy Official: Janet R. Bell

ⁱ **Personal identifying information (PII):** Personal identifying information includes, but is not limited to, social security numbers, driver's license numbers or state identification card numbers issued instead of a driver's license, checking account numbers, savings account numbers, credit card numbers, debit card numbers, personal identification (PIN) numbers, electronic identification numbers, digital signatures, dates of birth, current or former names, including first and last names, middle and last names, or first, middle, and last names, but only when the names are used in combination with, and linked to, other identifying information provided in this section, current or former addresses, but only when the addresses are used in combination with, and linked to, other identifying information provided in this section, or other numbers, passwords, or information which may be used to access a person's financial resources, numbers, or information issued by a governmental or regulatory entity that uniquely will identify an individual or an individual's financial resources.

ⁱⁱ **Protected health information (PHI):** Individually identifiable health information that is:

- (i) Transmitted by electronic media;
- (ii) Maintained in electronic media; or
- (iii) Transmitted or maintained in any other form or medium.

Protected health information excludes individually identifiable health information:

- (i) In education records covered by the Family Educational Rights and Privacy Act, as amended, 20 U.S.C. 1232g;
- (ii) In records described at 20 U.S.C. 1232g(a)(4)(B)(iv);
- (iii) In employment records held by a covered entity in its role as employer; and
- (iv) Regarding a person who has been deceased for more than 50 years.