

# AGENCY REPORT

## (due on or before July 31, 2020)

<b>Agency:</b>	NYC Department for the Aging (“DFTA” or “Agency”)		
<b>Agency Privacy Officer:</b>	Steven Foo		
<b>Email:</b>	sfoo@aging.nyc.gov	<b>Telephone:</b>	212-602-4113
<b>Date of Report:</b>	July 30, 2020		

1. Specify the type of identifying information collected or disclosed (check all that apply):	
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)*	<b><u>Work-Related Information</u></b> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<b><u>Biometric Information</u></b> <input checked="" type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs	<b><u>Government Program Information</u></b> <input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information
<b><u>Contact Information</u></b> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<b><u>Law Enforcement Information</u></b> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input checked="" type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<b><u>Demographic Information</u></b> <input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input checked="" type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input checked="" type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Religion <input checked="" type="checkbox"/> Sexual orientation	<b><u>Technology-Related Information</u></b> <input checked="" type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input checked="" type="checkbox"/> Internet protocol (IP) address* <input checked="" type="checkbox"/> Social media account information
<b><u>Status Information</u></b> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input checked="" type="checkbox"/> Status as victim of domestic violence or sexual assault <input checked="" type="checkbox"/> Status as crime victim or witness	
<b><u>Other Types of Identifying Information</u></b> (list below): Health Insurance number(s)	
*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).	

### 2. Specify the reasons why collection and retention of identifying information specified above furthers the purpose or mission of your agency.

The collection and retention of identifying information is a customary part of the Agency’s administration, operation and provision of services, which includes assessing eligibility, determining need and maintaining necessary services for the older adults participating in DFTA’s programs in furtherance of its mission to eliminate ageism and ensure the dignity and quality of life of New York City’s diverse older adults, and for the support of their caregivers, through service, advocacy and education.

N.Y.C. Admin. Code §23-1205(a)(1)(f)

**3. Describe the types of collections and disclosures classified as: (1) pre-approved as “routine,” (2) pre-approved as routine by APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the 2020 Agency Guidance includes detailed examples of routine and non-routine collections and disclosures, with descriptions.**

**Add additional rows as needed.**

Describe the Collection or Disclosure	Classification Type
<p><b>Program Units</b></p> <ol style="list-style-type: none"> <li>Bureau of Community Services – Congregate Services, Transportation, NORCs, Health Promotions</li> <li>Bureau of Direct Services – Grandparent Resource Center, Health Insurance Information Counseling Assistance Program, Senior Community Service Employment Program DFTA My Ride</li> <li>Bureau of Social Services – Long Term Care, Case Management, Home Care, Home Sharing, Home Delivered Meals, Friendly Visiting, Elder Abuse, Elderly Crime Victims Resource Center, Bill Payer Programs, Healthcare Connections – Caregiver Resource Center, SADC Ombudsman</li> <li>Health Clinical Service Program – Geriatric Mental Health</li> <li>Program Development – Care Transitions Program</li> <li>Aging Connect - Volunteer Resources, Contact Center, Farmer’s Market</li> </ol>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p><b>Administrative &amp; Planning Units</b></p> <ol style="list-style-type: none"> <li>Office of Human Resources</li> <li>Office of Procurement</li> <li>Bureau of Planning, Research, Evaluation and Training</li> <li>Office of the General Counsel</li> <li>Bureau of Financial Services</li> <li>Office of Information Technology</li> <li>Office of Emergency Preparedness and Response</li> <li>Office of General Services and Administration</li> <li>EEO</li> </ol>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>N.Y.C. Admin. Code §23-1205(a)(1)(b)</p>	

**4. If applicable, specify the types of collections and disclosures that have been approved by the Chief Privacy Officer as being “in the best interests of the City” which involve any collections and disclosures of identifying information relating to your agency.**

**Add additional rows as needed.**

Describe Type of Collection or Disclosure
<p>N/A</p>
<p>N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)</p>

**5. Describe the agency’s current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties.**

There are policies and legal requirements that cover the differing disclosure requests that can be received, including but not limited to applicable local, state and federal laws, regulations and guidance provided by our funding sources, internal employee policies related to confidentiality and authorized access to information, standard citywide human service contractual provisions, as well as City-issued policies such as the Model Citywide Protocol for Handling Third-Party requests for information.

6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. If YES, do such policies specify that access to such information must be necessary for the performance of their duties?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8. Describe whether the policies are implemented in a manner that minimizes such access to the greatest extent possible while furthering the purpose or mission of the agency.	DFTA strives to implement policies that minimize access to the greatest extent possible.
N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)	

<b>9. Describe the agency's current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties.</b>
<p>Please refer to the response provided in Section 5 above.</p> <p>Depending on the nature and type(s) of identifying information that is requested be disclosed, DFTA reviews and determines whether the request is permissible and furthers the purpose and mission of the Agency, including if any impacts to the Agency should be considered. The General Counsel's Office is consulted when non-routine requests for identifying information are received, including matters concerning privacy, confidentiality and minimizing access to the extent possible while achieving the Agency's purpose and mission.</p> <p>Agency staff are also aware of and will follow, when applicable, the Model Citywide Protocols for Handling Third Party Requests for Information Held by City Agencies issued on April 2017.</p> <p>The Agency may also utilize other tools, such as consent forms, interagency MOUs, data sharing agreements and FTP protocols to facilitate proper controls on when disclosure may be permitted.</p>
N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)

<b>10. Describe the agency's current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine.</b>
<p>In compliance with the policies described in Sections 5 and 9 above, as well as any relevant rules/regulations, executive and senior-level DFTA staff work in coordination with the APO/General Counsel regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine.</p>
N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)

<b>11. Describe the agency's current policies regarding which divisions and categories of employees within an agency make disclosures of identifying information following the approval of the privacy officer.</b>
<p>The Agency's executive and senior staff, consisting of employees who generally have policy-making authority, are those who would make disclosures following approval from the APO.</p>
N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)

**12. Describe whether the agency has considered or implemented, where applicable, any alternative policies that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the purpose or mission of such agency.**

The Agency has not considered alternative policies but will continue to work with the CPO and Law Department to determine if other alternatives should be considered.

N.Y.C. Admin. Code §23-1205(a)(4)

**13. Describe the agency's use of agreements for any use or disclosure of identifying information.**

DFTA's current practices include the use of written agreements (e.g., data sharing agreements, MOUs, consent forms) when considering the use and disclosure of identifying information.

N.Y.C. Admin. Code §23-1205(a)(1)(d)

**14. Using the table below, specify the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information, and for each entity, describe (1) the reasons why an agency discloses identifying information to such entity, and (2) why any such disclosures furthers the purpose or mission of such agency.**

**Add additional rows as needed.**

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the purpose or mission of the agency
Regulatory/Oversight Funding Governmental Agencies (City, State, Federal)	Disclosures required for assessment for Agency's performance, compliance and reporting; Procurement and contract processing	Required for the administration of DFTA's programs and services
Government agencies (City, State, Federal), Bank/Mortgage Lenders	Employment verification, mandated reporting	Processing of personnel actions and other related matters by DFTA's Office of Human Resources
Office of Emergency Management	Emergency preparedness	Coordination across agencies regarding emergency efforts to help identify vulnerable population in advance of emergency events
Other City Agencies, Research Institutions	Data analysis and/or matching for services/benefits	Efforts to identify seniors within DFTA's network who may be eligible for additional benefits and services
Non-Profit Organizations, Government Entities (Local, State, Federal)	Referral for services and benefits	Clients are referred to other entities for additional services or benefits

N.Y.C. Admin. Code §23-1205(a)(1)(e)

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**15. Describe the impact of the Identifying Information Law and other applicable laws upon your agency's practices in relation to collection, retention, and disclosure of identifying information.**

As the Identifying Information Law continues to be implemented, DFTA expects that training and resources will be available through the CPO to facilitate instruction and guidance. With the designation of an APO, the General Counsel's Office has taken on a larger role to ensure continued compliance with the law in conjunction with policies and practices already in place.

N.Y.C. Admin. Code §23-1205(a)(2)

**16. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to the collection, retention, and disclosure of identifying information.**

DFTA has implemented and continues to reference the APO Toolkit issued by the CPO in June 2019. In addition, when novel requests for identifying information arise, the APO consults and works collaboratively with the CPO to ensure compliance with City policies and law.

N.Y.C. Admin. Code §23-1205(a)(3)



<b>Preparer of Agency Report:</b>			
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<b>SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW</b>			
<b>Agency Head (or designee):</b>			
<b>Name:</b>	Lorraine Cortés-Vázquez		
<b>Title:</b>	Commissioner		
<b>Email:</b>	LCVazquez@aging.nyc.gov	<b>Phone:</b>	
<b>Signature:</b>		<b>Date:</b>	7/30/20

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