

FORM # 3
Agency Report Template

INSTRUCTIONS

The Identifying Information Law requires each agency to submit a **report** regarding, among other items, the collection, retention, and disclosure of identifying information by such agency and their “human services” contractors or subcontractors, by **no later than July 31, 2018**, and every two years thereafter by July 31. This report must be completed by the agency and submitted to the Mayor, at reports@cityhall.nyc.gov; City Council Speaker, at reports@council.nyc.gov; Chief Privacy Officer (“CPO”), at PrivacyOfficer@cityhall.nyc.gov; and Identifying Information Protection Committee (“Committee”), at NYCPrivacyCommittee@cityhall.nyc.gov. While the Law does not specify who at the agency must complete the report, the Agency Privacy Officer (“APO”) is likely best positioned to do so. Reports completed by APOs who are not lawyers should be reviewed and approved by the agency’s General Counsel or other counsel to the agency before submission by the agency. Agency reports, to be reviewed by the CPO and Committee, will help to inform citywide policies and procedures promulgated by the CPO and new agency requirements for the protection of identifying information, in a manner consistent with the Law. **Agency reports must be signed by the agency head or designee prior to submission.**

The answers provided in the Inventory and Routine Designation Form should provide a significant amount of information needed to complete this Report Form. Each question or prompt includes references to specific requirements in the Law.

NOTE: For questions requesting information about existing agency policies relating to the disclosure of identifying information, agencies should describe their specific agency policies, and may also reference the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies, issued as City policy in April 2017 (on file with the CPO).

IMPORTANT NOTE

THE INFORMATION CONTAINED IN THE AGENCY REPORT WILL BE PUBLIC INFORMATION. PREPARERS OF THIS REPORT SHOULD CONSULT WITH THEIR AGENCY’S GENERAL COUNSEL OR THE CHIEF PRIVACY OFFICER REGARDING ANY QUESTIONS AS TO WHETHER THE AGENCY’S RESPONSES TO QUESTIONS IN THE REPORT ARE PROVIDED IN ACCORDANCE WITH APPLICABLE LAW AND CITY POLICY.

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AGENCY REPORT

(due on or before July 31, 2018, and by July 31 every two years thereafter)

Agency:	New York City Department of Social Services/ NYC Human Resources Administration/ NYC Department of Homeless Services		
Agency Privacy Officer:	Lauren Friedland		
Email:	friedlandl@dss.nyc.gov	Telephone:	929-221-6535
Date of Report:	7-31-18		

1. Specify the types of identifying information collected, retained, and disclosed by the agency

Check all that apply.

<input checked="" type="checkbox"/> Name	<input checked="" type="checkbox"/> Date of Birth
<input checked="" type="checkbox"/> Current and/or previous home addresses	<input checked="" type="checkbox"/> Place of Birth
<input checked="" type="checkbox"/> Gender identity	<input checked="" type="checkbox"/> Race
<input checked="" type="checkbox"/> Sexual orientation	<input checked="" type="checkbox"/> Marital or partnership status
<input checked="" type="checkbox"/> Contact information (e.g., phone or email)	<input checked="" type="checkbox"/> Citizenship/immigration status
<input checked="" type="checkbox"/> Religion	<input checked="" type="checkbox"/> Nationality
<input checked="" type="checkbox"/> Employment status	<input checked="" type="checkbox"/> Country of origin
<input checked="" type="checkbox"/> Employer information	<input checked="" type="checkbox"/> Languages spoken
<input checked="" type="checkbox"/> Employment address	<input checked="" type="checkbox"/> Social media account information
<input checked="" type="checkbox"/> Motor vehicle information	<input checked="" type="checkbox"/> Income tax information
<input checked="" type="checkbox"/> Biometric information	<input checked="" type="checkbox"/> Any scheduled court appearances
<input checked="" type="checkbox"/> Eligibility for/receipt of public assistance or city services	<input checked="" type="checkbox"/> Arrest record or criminal conviction
<input checked="" type="checkbox"/> Status as victim of domestic violence or sexual assault	<input checked="" type="checkbox"/> Status as crime victim or witness
<input checked="" type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD	<input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor
<input checked="" type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD	<input checked="" type="checkbox"/> Social Security Number

Other: Landlord Taxpayer Identification Number; Employee Identification Number (EIN); Client Case/Program Numbers (i.e., CARES ID, Welfare Management System Case Number); Medicaid Client Identification Number (CIN); H+H Hospital Identification Number; Health Insurance Claim Number (HIC); Medicare Beneficiary Identifier (MBI); NYS Automated State Support Enforcement Tracking System (ASSETS) Case Number; IDNYC Number; Veteran Status; Employee LAN ID; Disability Status; Housing Status

N.Y.C. Admin. Code §23-1205(1)(a)

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

The NYC Department of Social Services (“DSS”) is comprised of the administrative units of the NYC Human Resources Administration (“HRA”) and the NYC Department of Homeless Services (“DHS”). Through integrated management for HRA and DHS, client services can be provided more seamlessly and effectively. Additionally, the City leverages shared services functions across the agencies, which results in better day-to-day management and building an integrated mission across agencies.

DSS policies and practices in relation to the collection, retention, and disclosure of identifying information are governed by extensive federal and state law requirements and restrictions, which, in turn, form the foundation for DSS agency-wide policies, procedures, and staff training. DSS and the DSS Commissioner have issued instructions to protect and safeguard identifying information.

HRA collects and retains personal identifying information from agency clients, agency personnel, other City agencies, and contractors and subcontractors in furtherance of the effective and efficient administration of numerous public benefit programs, and of the Agency's mission to address poverty and income inequality. Specifically, HRA administers the Adult Protective Services ("APS") Program; the Cash Assistance Program under the Temporary Aid to Needy Families ("TANF") New York State Safety Net, and Veteran's Assistance Programs; the HIV/AIDS Services Administration ("HASA"); the NYS Medicaid Program; the Supplemental Nutrition Assistance Program ("SNAP"); and the IDNYC program, which is operated directly by DSS. Additionally, HRA provides an array of services to New Yorkers in need, including domestic violence services, energy assistance, tenant support, job and career assistance, care referrals, child support, and rental assistance services, among others. In order to ensure the effective administration of each of these programs and services and to comply with federal and state law requirements, it is necessary that personal identifying information is collected and retained for various purposes ranging from benefit application processing, eligibility determinations, case management, coordination of care and services for clients, and referrals for additional services.

DHS collects and retains personal identifying information from agency clients, agency personnel, other City agencies, and contractors and subcontractors in furtherance of preventing and addressing homelessness in New York City. Collaborating with other agencies and nonprofit partners, DHS works to prevent homelessness before it occurs, reduces street homelessness, and assists New Yorkers in transitioning from shelter to permanent housing. Specifically, DHS provides temporary emergency shelter to NYC families with children, adult families, and single adults, and offers homelessness prevention services, including referral to HRA's Homebase Program, services to prevent eviction, assistance obtaining public benefits, education and job placement assistance, and financial counseling. Additionally, DHS works to address the needs of domestic violence survivors seeking temporary emergency shelter in the City of New York, and deploys outreach teams around the clock to encourage people living on the streets and in subways to move into transitional and permanent housing. In order to ensure the effective administration of each of these programs and services and to comply with federal and state law requirements, it is necessary that personal identifying information is collected and retained for various purposes ranging from shelter eligibility determinations, case management, coordination of care and services for clients, referrals for additional services, and housing and shelter placement.

A number of shared service divisions operate within DSS, including the Office of the General Counsel, Human Capital Management ("HCM"); Information Technology Services ("ITS"); General Support Services ("GSS"); the Office of Program Accountability ("OPA"), the Office of Program, Planning and Financial Management ("OPPFM"), and the Office of External Affairs. These divisions perform functions for, and on behalf of, both HRA and DHS Programs. Identifying information is collected and disclosed by these shared services divisions to perform functions related to legal affairs, finance and budget administration, policy and planning, oversight, program accountability, and numerous other operations that support HRA and DHS programs.

N.Y.C. Admin. Code §23-1205(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.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
NYC DEPARTMENT OF SOCIAL SERVICES SHARED SERVICES & FUNCTIONS	
<p>Human Resources & Related Personnel Matters. DSS collects and discloses identifying information of Agency personnel to other City agencies, State and Federal oversight agencies, designated third parties, and insurance companies, as appropriate, in the course of performing human resources and other personnel-related matters, including but not limited to: new hire processing, retiree and benefits processing, equal employment opportunity matters, payroll processing, time keeping, occupational health and safety matters, and professional development. Information is also collected and disclosed, subject to applicable law, to labor organizations and personnel union representatives when such information is needed to perform duties related to Agency employee collective bargaining representation.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Finance, Budget & Accounting. DSS collects and discloses personal identifying information to other City agencies, contracted providers, and oversight bodies for the purposes of preparing, negotiating, and monitoring the Agency's expense, revenue, and capital budgets to ensure that the Agency remains fiscally sound. Additionally, identifying information is collected and disclosed in the course of providing payment to contracted service providers, the claiming of Federal and State reimbursement for costs incurred, the collection and recording of Medicaid recoveries, and the provision of basic and financial accountability for DSS.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Research & Data Analytics. DSS collects and discloses research data, including survey results, and interview and focus group notes, and retains agency administrative data sets for the purpose of conducting evaluation and research studies that inform agency decision-making and provide the basis for policy and programming recommendations to the Commissioner, executive staff, and program leadership. DSS also discloses administrative data sets to research firms, university-based researchers or fellows, and other related entities in response to research requests submitted in accordance with Agency procedure. While such external disclosures constitute routine disclosures, each proposal is thoroughly evaluated by the evaluation and research division and the Office of Legal Affairs for sound research techniques and applicable legal basis for disclosure prior to any release of requested information. Though identifying information is in some cases disclosed in the form of administrative data sets, resulting publications include only aggregate and/or de-identified information absent specific individual consent permitting otherwise.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Transactional/Contracts. DSS discloses identifying information to contractors, experts, or consultants who have entered into agreements with the Agency so that such entities or persons may carry out their roles and responsibilities under such agreements. Contractors, experts, or consultants may include, for example, contracted service providers, entities performing support functions on behalf of DSS programs, other City agencies, community based organizations, etc.</p>	<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>Project Management & Program Planning. DSS collects and discloses identifying information to other City agencies and designated entities for performance and project management, as well as data reporting functions. Planning and performance management operations support the Commissioner, Mayor's Office, other government entities, and the public by providing information on program analysis either on an ongoing basis or in response to ad hoc data requests, and by conducting intra- and interagency data matches to inform policy and program planning.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Oversight & Reporting. DSS discloses certain identifying information to federal, state, and local oversight agencies and entities in order to comply with regulations, rules, guidelines, and conditions to funding. DSS discloses information to various entities, such as the New York State Office of Temporary Disability Assistance, the United States Department of Agriculture Food and Nutrition Services, NYS Department of Health, NYS Office of the Medicaid Inspector General, NYC Department of Investigation, United States Department of Health and Human Services, etc., for purposes of meeting reporting requirements for government grants,</p>	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

reporting on benefit eligibility verification and program administration, and for other general oversight purposes.	
Fraud Investigations & Enforcement. DSS collects and discloses identifying information to law enforcement officers, District Attorney's Offices, United States Attorney's Offices, contracted providers, other City, State, or Federal agencies, courts, and estate administrators and beneficiaries, as appropriate, for the purposes of detecting, preventing, or recovering improper payments, detecting and preventing fraud, waste, and abuse in programs administered by HRA and DHS, and abuse by individuals in their operations and programs. Information is collected and disclosed in order to conduct investigations of individuals and groups who allegedly attempt to commit or commit fraudulent acts against social services programs, investigate and resolve potential cases of misrepresentation or program eligibility fraud, reclaim benefits overpaid to former and current recipients and discontinue the issuance of inaccurate benefits, and pursue recipients and providers suspected of committing Medicaid, Supplemental Nutrition Assistance Program, or Cash Assistance fraud.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Audits. DSS discloses identifying information to federal, state, or local auditors or other entities authorized to perform audits, in compliance with applicable laws or regulations. For example, DSS may disclose identifying information in response to an inquiry from the New York State Office of Temporary Disability Assistance for conducting federally mandated quality control and case and procedure error reviews of active, closed or rejected benefits cases, or may disclose information in the course of specific program audits completed by the State or City Comptroller's Office.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Fair Hearings. The Fair Hearing Administration is responsible for representing the Agency in administrative hearings brought by clients who challenge decisions about their benefits. Fair Hearing activities include packet preparation and providing representation of DSS at NYS Administrative Hearings for various HRA and DHS program areas. An applicant and/or participant can request a fair hearing to appeal one or more issues affecting the receipt of benefits. Identifying information is collected and disclosed to Fair Hearing Advocates, clients and authorized representatives, third parties designated by clients or authorized representatives, courts, and opposing counsel, as appropriate and subject to applicable law, in the course of packet preparation, communications with authorized advocates, and representation of the Agency in the administration of fair hearings.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Litigation & Court Proceedings. Various litigation and counseling units within DSS provide legal counsel and litigation support to HRA and DHS program areas, representing the Agency in the Supreme, Civil, and Family Courts and in selected administrative hearings. Personal identifying information is collected and disclosed to other City agencies, clients and designated representatives, courts, and opposing counsel, as appropriate and subject to applicable law, for court matters, which may involve Article 78 proceedings, declaratory judgment actions, class action lawsuits, and guardianship, disciplinary, employment, child support/paternity, lien enforcement/recovery, and other legal proceedings.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Contracting & Procurement. DSS collects certain identifying information for contracting and procurement purposes, including vendor representative names, addresses, and contact information.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Training & Certification Administration/Tracking. DSS collects and discloses agency personnel information to contracted training vendors in order to enroll, monitor, and track employee training progress and completion. Information may be disclosed, subject to applicable law, to appropriate agencies, entities, and/or vendors that provide training for enrollment purposes, to ensure compliance with training requirements, and for vendor compensation, as appropriate.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Subpoenas, Court Orders, & Related Requests. DSS discloses identifying information to law enforcement, opposing counsel, District Attorney's Offices, United States Attorney's Offices, courts, and other third parties entitled to such information in response to subpoenas and other law enforcement or administrative requests, subject to applicable law. Information is disclosed in response to such requests only where the request is accompanied by a valid written authorization or court order, or in certain circumstances, where an appropriate legal basis exists	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

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<p>in applicable law for the particular disclosure. While such disclosures for purposes of responding to subpoenas or other related requests constitute routine disclosures in the course of agency business due to volume, each subpoena/request is thoroughly evaluated by the Office of Legal Affairs to determine sufficiency and applicable legal basis for disclosure prior to release of any requested information.</p>	
<p>Constituent Affairs. DSS collects and discloses identifying information to and from clients, advocates, elected officials, and other constituents in order to address DSS program-related inquiries and concerns. Collections and disclosures related to constituent affairs include those completed for the purposes of reducing barriers to access to services for high-need NYC populations, responding to concerns and questions via DSS hotlines and complaint units, and resolution of case inquiries and issues. Such collections and disclosures are made only pursuant to appropriate written authorization.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Records Management. DSS collects and discloses identifying information to other City agencies, including the NYC Department of Records and Information Services ("DORIS") for the purposes of management, archiving, and preservation of Agency client and employee records, including email and document retention and management.</p>	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Facilities Management & Emergency Response. DSS collects and discloses identifying information for health and safety program coordination and facilities management purposes. Specifically, DSS discloses information to certain entities entitled to such information, including oversight agencies and bodies, in the course of reporting and responding to occupational injuries, illnesses, hospitalizations, or fatalities; investigating and providing written responses to employee health-related inquiries and complaints; liaising with external oversight agencies concerning facility safety and health matters, including DHS shelter maintenance and repair; and coordinating emergency preparedness and emergency response.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Technical Services & Application Development. DSS collects and retains limited identifying information for the purposes of creating, developing, testing, and enhancing the Agency's technology infrastructure and applications for all DSS programs, including a variety of client eligibility and recertification systems, employment/work engagement services, claiming systems, and personnel systems.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Data Security Incident Responses. In certain instances it may be necessary for DSS to disclose identifying information, subject to applicable law, to appropriate agencies, entities, or persons, where it has been determined that the security or confidentiality of the information has been compromised, and such disclosure is either required by law or is reasonably necessary to assist in efforts to prevent, minimize, or remedy potential harm. Whether a disclosure of identifying information is a necessary response to a data security incident will be determined by the DSS Privacy Officer on a case-by-case basis.</p>	<input type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
<p>Unique Data Sharing Initiatives. In rare instances, DSS/HRA/DHS may participate in a data share initiative with other City Agencies or external entities that does not fit within a documented routine use or disclosure category, but that may nevertheless further the agency's purpose or mission. Such data share proposals will be evaluated on a case-by-case basis by the DSS Privacy Officer for sound legal basis for participation and disclosure.</p>	<input type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
<p>NYC DEPARTMENT OF HOMELESS SERVICES OPERATIONS</p>	
<p>Referrals & Case Management for Street Homeless Clients. DHS collects and discloses personal identifying information, including vital, demographic, and clinical information, to clients and authorized representatives, contracted service providers and vendors, and community based organizations for the purpose of providing an array of services to street homeless individuals to assist them to move off the street and to address mental health, substance use, and other issues. DHS contracts with nonprofit providers to operate street outreach teams, Drop-In Centers, and Safe Havens. Teams seek to move unsheltered individuals inside and connect them with transitional housing resources.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Public Safety & Health. Identifying information is disclosed to appropriate federal, state, or local agencies or personnel for purposes of preventing or combating threats to public health and</p>	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approved as routine by

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<p>safety. Information is disclosed to entities including the NYC Department of Health and Mental Hygiene to assist with monitoring and controlling the spread of disease in DHS facilities and the general population.</p>	<p>two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>DHS Program Outreach. DHS and its contractors collect and disclose personal identifying information of clients to community based organizations and other designated City partners for outreach purposes. Specifically, information is collected and disclosed in order to identify individuals who may be eligible for DHS-administered programs and other services, and to connect such individuals with the services they need, for example, DHS's Street Homelessness Solutions Division's efforts to connect street homeless individuals with housing and additional services.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Referrals & Case Management for DHS Shelter Clients. DHS and its contractors collect and disclose identifying information of clients for the purposes of providing an array of referral and case management services to DHS Program clients. Specifically, DHS Programs and contractors share information with contracted providers, community based organizations, authorized client representatives, and other designated entities to make referrals for a variety of resources and services, including medical, mental health, vocational rehabilitation, finance management, permanent housing, family mediation, and substance use treatment services. Identifying information is collected and disclosed in the course of providing related case management services, including assessment of service needs, development of an Independent Living Plan, monitoring and evaluation of service plans and progress, and service coordination.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>DHS Program & Shelter Eligibility Determinations. DHS, and in some cases, its contractors or subcontractors, collect and disclose identifying information to clients and authorized representatives, other contracted providers, and community based organizations in the course of determining eligibility for temporary and emergency shelter, addressing immediate client needs, and encouraging engagement and retention in services for families with children, adult families, and single adults.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>NYC HUMAN RESOURCES ADMINISTRATION OPERATIONS</p>	
<p>HRA Program Eligibility Determinations, Enrollment, & Public Benefits Processing. HRA and in some cases, its contractors or subcontractors, collect and disclose identifying information to authorized client representatives, medical providers and managed care plans, community based organizations, and other contracted vendors, as appropriate, in the course of determining eligibility, enrolling applicants, and processing applications for a number of public benefit programs, including the NYS Medicaid Program, the Supplemental Nutrition Assistance Program, the Cash Assistance Program, and the IDNYC Program. HRA and/or its contractors also collect and disclose identifying information in the course of administering and determining eligibility for additional related services and programs, including Adult Protective Services; services for survivors of domestic violence; energy assistance; tenant support; job and career assistance; substance use, mental health, and other care referrals; child support services; and rental and supportive housing assistance services, among others.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>Referrals & Case Management for HRA Clients. HRA and its contractors collect and disclose personal identifying information of clients for the purposes of providing an array of referral and case management services to HRA Program clients. Specifically, HRA Programs and contractors share information with contracted providers, community based organizations, authorized client representatives, and other designated entities to make referrals for a variety of resources and services, including medical, mental health, vocational rehabilitation, finance management, housing, and substance use treatment services. Identifying information is collected and disclosed in the course of providing related case management services, including assessment of service needs, development, monitoring and evaluation of service plans and progress, and service coordination.</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis</p>
<p>HRA Program Outreach. HRA and its contractors collect and disclose personal identifying information of clients to community based organizations and other designated City partners for outreach purposes. Specifically, information is collected and disclosed in order to identify individuals who may be eligible for HRA-administered programs and other services, and to connect such individuals with the services they need. Examples include HRA's Public</p>	<p><input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis</p>

Engagement Unit's GetCovered NYC initiative and the Homelessness Prevention Administration's efforts to prevent eviction and homelessness.	
Child Support Enforcement. HRA collects and discloses identifying information to oversight agencies, courts, and contracted vendors, for the purpose of ensuring that NYC children receive financial support from both parents. Information is collected and disclosed in the process of assisting with locating parents, establishing paternity, establishing child support, collecting and distributing child support payments, and modifying and enforcing child support orders. Enforcement includes oversight of administrative enforcement tools, including wage garnishment and seizure of funds, and identification of appropriate cases for local or federal prosecution for non-payment of child support.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approved as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

N.Y.C. Admin. Code §23-1205(1)(b)

4. If applicable, specify the types of collections and disclosures approved by the Chief Privacy Officer.	
Add additional rows as needed.	
Describe Type of Collection or Disclosure	
Not applicable.	

N.Y.C. Admin. Code §23-1205(1)(b)

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.	
<p>DSS staff members, as well as HRA and DHS providers and vendors, who receive requests for confidential and/or identifying information from applicants, recipients, relatives, law enforcement agencies, government agencies, or other entities are cautioned that the disclosure by DSS of such information is subject both to legal restrictions and to additional agency policies regarding the release of such information. In general, DSS's policy prohibits staff from disclosing confidential information to anyone outside of the Agency, or to any DSS employee whose duties do not require such disclosure, without a valid consent and/or authorization from the client. Questions about the validity of written consent and/or authorization or the disclosure of information in the absence of valid consent are directed to the DSS Chief Data Privacy Officer.</p>	
<p>DSS frequently receives routine requests for confidential information about clients from non-City entities. Routine data requests include requests for information about clients that occur in the normal course of Agency business, which include requests made pursuant to judicial subpoenas, authorizations, and court orders. All such requests, including any requests made to DSS providers or vendors, are processed through the DSS Office of Legal Affairs. Non-routine requests for information are requests for purposes that are unrelated to serving the needs of DSS clients or are for purposes outside the scope of official Agency business. All non-routine requests for identifying information are immediately referred to the DSS General Counsel.</p>	
<p>DSS's Office of Communications and Marketing has been designated as the Agency's principal office of communication with the media and the public. No employee, except an employee designated by that office or by the Commissioner may present himself or herself as expressing the policies or views of the Agency. Any employee who receives an inquiry from the media is required to refer the inquiry to the Office of Communications.</p>	
<p>DSS also receives numerous requests from outside organizations and individuals for assistance with research projects and studies on subjects related to DSS and its clients. Such requests are evaluated by the DSS Office of Evaluation and Research and the DSS Office of Legal Affairs for issues concerning client confidentiality.</p>	
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	Policies regarding access to identifying information by agency employees, contractors, and subcontractors are standard across the agency. Identifying information is stored securely on DSS servers and in certain DSS systems in compliance with NYC Department of

agency.

Information Technology and Telecommunications ("DoITT") security standards. DSS employees, contractors, and subcontractors are granted access to identifying information only to the extent that such access is required to perform assigned job functions, or functions required to carry out a business relationship pursuant to an agreement or Memorandum of Understanding. DSS employee requests for access to electronic systems housing identifying information must be approved by appropriate unit supervision, and where applicable, the Office of Legal Affairs. Electronic system access is further controlled by unique user IDs and passwords, as well as assigned user roles, indicating which functions employees are permitted to perform and which levels and types of data may be viewed or edited. Electronic data access is tracked, and staff members who access information inappropriately are disciplined.

Additionally, a procedure for exiting staff is followed when staff leave the agency for any reason. Specifically, it is mandatory for a staff member's supervisor to have an employee's system(s) account disabled when the employee either retires, is terminated, transferred, or otherwise discontinues his or her employment with the agency. Reports of disabled accounts are provided to and reviewed daily by Senior staff.

Individual program areas within DSS use their own databases and/or folders within larger databases, implementing access controls to restrict staff in unrelated agency divisions from accessing program-specific information.

In cases where contractors or subcontractors are granted access to identifying information in order to perform their contracted activities and functions, requirements relating to confidentiality of identifying information are included in contracts and other agreements to ensure the privacy and security of such information. Agency agreements include language regarding limitations on access to identifying information, specifying that access to and use of identifying information by the contractor/subcontractor is explicitly limited to the purposes set forth within the agreement, as well as to those individuals who require it to carry out their job functions. Further, employees of contractors/subcontractors are generally required to execute Confidentiality Statements acknowledging their duty to maintain the confidentiality of any information accessed pursuant to the agreement and to use such information appropriately.

N.Y.C. Admin. Code §§23-1205(1)(c)(1), and (4)

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.

Proposals for disclosures of identifying information to other City agencies, local public authorities, local public benefit corporations, and other third parties are handled similarly to requests for disclosures as described in response to Question #5 above. Because identifying information maintained by DSS is subject to both legal confidentiality requirements and additional Agency policies regarding the protection of such information, DSS generally does not act in response to proposals for disclosures in the absence of consent and/or written authorization from clients or personnel.

Proposals for disclosures of identifying information occurring in the normal course of Agency business are processed through the DSS Office of Legal Affairs and evaluated for program value and legal basis for disclosure. Proposals for disclosures of identifying information unrelated to serving the needs of DSS clients, or for purposes outside the scope of official Agency business are generally denied. Research proposals, specifically, are routed through the DSS Office of

Evaluation and Research and Office of Legal Affairs for review.

N.Y.C. Admin. Code §23-1205(1)(c)(2)

10. Describe the agency's current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine.

The DSS Agency Privacy Officer ("APO") has the authority to give advance written approval for collections and disclosures of identifying information that are considered routine. Prior to June 15, 2018, the APO considered whether numerous collections and disclosures identified by individual DSS Program areas were made during the normal course of Agency business, and whether such collections and disclosures furthered the purpose and mission of DSS/HRA/DHS. As a result, the APO designated approximately twenty-six (26) routine collections and disclosures that met these criteria. When a request or proposal is presented for a collection or disclosure that does not fall within one of these 26 previously designated categories, DSS Staff are directed to refer such request or proposal to the APO within the Office of Legal Affairs for a determination of whether a new designation must be made, or whether a case-by-case determination is required in relation to the type of request or proposal. DSS Program areas and shared services divisions are informed when new designations affecting or related to their operations are made.

In a case where a collection or disclosure does not fall within one of the categories designated as routine by the APO, but where urgency or considerations of safety make adherence to ordinarily required procedures impracticable, such collection or disclosure may be classified as one required by exigent circumstances. In these instances, DSS Staff are directed to consult the APO and/or a supervisor. DSS staff must retain information about the particular collection, request, or disclosure, as well as an explanation of why exigent circumstances existed requiring the collection or disclosure. DSS staff must immediately provide a written report to the APO, who will notify the Chief Privacy Officer, where appropriate. DSS Staff have been informed of criteria that may constitute the existence of exigent circumstances, including imminent danger or threat to individual health or safety.

N.Y.C. Admin. Code §23-1205(1)(c)(3)

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.

Authority to disclose identifying information in approved instances is limited to DSS divisions that routinely access client or staff information in order to perform their job functions, and further, to staff within such divisions who are designated to handle this function as part of their job responsibilities. Depending upon the operations of the particular division and prior approval by the Office of Legal Affairs, employees authorized to disclose identifying information may be limited to Directors, Managers, and legal staff. In units that interface more closely with clients, staff authorized to disclose information, after appropriate client authorization and identity verification procedures, may include Eligibility Specialists and Case Managers, among others.

Employees who do not routinely access client or staff information and/or are not designated to handle disclosures of identifying information as part of their job function are prohibited from disclosing such information. In the event that such an employee receives an external request for identifying information, the employee must direct the request to the appropriate unit or office, as outlined within Agency policy. Depending upon the nature of the request, employees are required to direct inquiries to the Office of the General Counsel, Office of Legal Affairs, or Office of Communications and Marketing, as appropriate.

N.Y.C. Admin. Code §23-1205(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.

Existing Agency-wide DSS policies and procedures already address the minimization of the collection, retention, and disclosure of identifying information. As such, DSS has not implemented any alternative policies at the time of completion of this report.

N.Y.C. Admin. Code §23-1205(4)

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

Prior to the disclosure of identifying information to a contractor, subcontractor, other City agency, external entity, or similar party, DSS/HRA/DHS generally executes a contract, Memorandum of Understanding, Nondisclosure Agreement, or other appropriate data share agreement that memorializes the terms and purpose of the relationship and disclosure. Such agreements detail the data elements to be collected and/or disclosed, the purpose for collection and/or disclosure, and additional terms regarding handling of confidential and/or identifying information.

Whether an agreement is required for a particular data share or relationship is evaluated by the DSS Office of Legal Affairs, in particular, the Commercial Law Division and Office of Data Privacy. Considerations include prior relationships and/or existing agreements between the relevant parties, the frequency of the data exchange, and applicable requirements under federal, state, and local law, among others. Agreements are drafted to include the justifying legal basis for disclosure of confidential information.

Standard requirements related to protecting the privacy and security of identifying information are included in such agreements and are drafted and/or reviewed by the Commercial Law Division, in conjunction with the Office of Data Privacy. Requirements include provisions addressing: (1) ownership of identifying information; (2) limitations on access to identifying information; (3) limitations on retention of identifying information; (4) handling of third-party requests for information; (5) effects of unauthorized disclosures; (6) use of administrative, technical, and physical safeguards; and (7) additional general confidentiality provisions.

N.Y.C. Admin. Code §23-1205(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
Federal, State, and Local Oversight Agencies and Entities	DSS discloses identifying information to federal, state, and local oversight agencies and entities in order to comply with regulations, rules, guidelines, and conditions to funding. More specifically, DSS discloses information to oversight entities for purposes of meeting reporting requirements for government grants, reporting on benefit eligibility verification and program administration, and for other general oversight purposes.	Disclosures to oversight agencies and entities ensure that DSS complies with program and benefit administration requirements and fulfills its reporting and related obligations.
Clients & Authorized Representatives	DSS discloses information to clients and/or their authorized representatives when such individuals request case records or other information about their case, or wish to discuss case details.	Disclosures to clients and authorized representatives are necessary for proper administration of DSS Programs. In general, clients and authorized representatives are entitled to their own case information and records.
Research Firms, University-Based Researchers/Fellows and other Related Entities	DSS discloses administrative data sets including personal identifying information to researchers in response to requests submitted in accordance with Agency procedure where disclosure of such information is permitted by applicable law or is completed pursuant to appropriate written consent. Although identifying information in administrative data sets is in some cases disclosed to research firms, university-based researchers or fellows and other related entities, resulting publications include only aggregate and/or de-identified information absent specific individual consent permitting otherwise.	Disclosures for research purposes allow participation in research spanning a large number of important issues affecting the administration of social services and public benefits. Access to research reports and results informs agency decision-making by assisting with the development and analysis of the evidence-base for DSS's work, and contributes to policy and programming recommendations and improvements.
Federal, State, Local or Other Authorized Auditing Bodies	DSS discloses identifying information to auditors for purposes of conducting quality control, compliance, and program review assessments.	Disclosures to entities authorized to conduct audits ensure that DSS remains in compliance with administrative, program maintenance, and reporting requirements.
Law Enforcement Officers & District Attorney's/U.S. Attorney's Offices	DSS discloses identifying information to law enforcement officers, assistant district attorneys, or assistant United States attorneys pursuant to lawful administrative requests, subpoenas, or similar demands. Information is disclosed in response to such requests only where the request is accompanied by a valid written authorization or court order, or in certain circumstances, where an appropriate legal basis exists in applicable law for the particular disclosure.	Disclosures to law enforcement officers and district attorney's offices may be necessary for the adjudication of civil, criminal, or administrative proceedings. Disclosures may be required to comply with law or protect agency or client interests in such proceedings.

<p>Contracted Service Providers, Vendors & Consultants</p>	<p>DSS discloses identifying information to contractors, vendors, and consultants who have entered into agreements with the agency so that such entities or persons may carry out their roles and responsibilities under such agreements. Contractors and vendors may include, for example, contracted client service and shelter providers, entities performing support functions for DSS programs, community based organizations, or facilitated enrollers, among many others.</p>	<p>Disclosures to contracted service providers and vendors are necessary for such parties to effectively serve DSS clients. Demographic, contact, and other identifying information assists providers in offering appropriate services and case management. Additionally, disclosures to contracted service providers and vendors assist these parties with carrying out functions necessary for proper administration of the Agency.</p>
<p>Community Based Organizations (CBOs)</p>	<p>DSS often partners with Community Based Organizations to better provide services to clients. Such partnerships may require an exchange of identifying information to facilitate outreach, service, and client-CBO relationships.</p>	<p>Disclosures to CBOs are necessary for such parties to effectively serve DSS clients. Demographic, contact, and other identifying information assists CBOs in completing outreach, and offering appropriate services and case management.</p>
<p>Third Parties Designated by Clients or Authorized Representatives</p>	<p>DSS discloses identifying information to third parties designated by clients or their authorized representatives pursuant to valid written authorization for various purposes indicated by the client or representative, including for litigation or individual case management purposes.</p>	<p>Disclosures to third parties designated by clients or authorized representatives are necessary for proper administration of DSS Programs. In general, DSS clients have the authority to direct the disclosure of their case records or information to individuals they have designated in writing.</p>
<p>Courts & Opposing Counsel</p>	<p>DSS discloses identifying information in the course of litigation to the court and opposing counsel, subject to applicable law, for the purposes of discovery, case preparation, and determination of issues before the court.</p>	<p>Disclosures to courts or opposing counsel may be necessary for the adjudication of civil, criminal, or administrative proceedings. Disclosures may be required to comply with law or to protect agency or client interests in such proceedings.</p>
<p>Medical Providers & Managed Care Plans</p>	<p>DSS discloses identifying Medicaid information to medical providers, including hospitals, doctors, pharmacies, and nursing homes, as well as to Managed Care Plans, in order to resolve coverage issues and/or access to care issues for clients. Identifying information is also disclosed to treating clinicians and facilities for the purposes of engaging and monitoring treatment progress of clients in medical, mental health, and substance use treatment.</p>	<p>Disclosures to medical providers and Managed Care Plans allow proper program maintenance and monitoring across various program areas, including Medicaid and vocational and substance use rehabilitation, helping to ensure that clients have continued appropriate and effective access to care.</p>
<p>Fair Hearing Advocates</p>	<p>DSS discloses identifying information to advocates designated to represent clients in Fair Hearings via certain processes and litigation stipulations. Registered advocates, authorized by DSS, have access to receive fair hearing evidence packets via electronic systems.</p>	<p>Disclosures made in the course of Fair Hearings assist the Agency in properly preparing for and participating in NYS Hearings pursuant to state regulations.</p>
<p>Personnel Union Representatives</p>	<p>DSS discloses identifying information of personnel, subject to applicable law, to personnel union representatives for employment-related issues, including information required for collective bargaining representation issues.</p>	<p>Disclosures to Agency personnel union representatives ensure appropriate treatment of Agency employment-related issues.</p>
<p>Other City Agencies (e.g., NYC Department of Investigation, NYC Administration for</p>	<p>DSS discloses identifying information to other City Agencies for a wide range of purposes with the goal of more efficiently administering programs and delivering services to NYC</p>	<p>Disclosures of identifying information to other City Agencies may further the purpose and/or mission of DSS for a variety of reasons, depending upon the particular initiative or relationship. Generally,</p>

<p>Children's Services, NYC Department of Records and Information Services, NYC Comptroller's Office, NYC Law Department, etc.)</p>	<p>clients. Such sharing is done pursuant to Memorandums of Understanding or similar data sharing agreements memorializing the particular purpose and terms of the initiative or relationship.</p>	<p>such disclosures aid in the administration of programs and service delivery; allow for increased service coordination across agencies; achieve other administrative goals, such as efficient records management; and aid in resolution of claims against the City and other related litigation.</p>
<p>Other State and Federal Agencies (e.g., NYS Division of Criminal Justice Services, U.S. Department of Veterans Affairs, etc.)</p>	<p>DSS discloses identifying information to State and Federal agencies for a wide range of purposes with the goal of more efficiently administering programs and delivering services to NYC clients. Such sharing is done pursuant to Memorandums of Understanding or similar data sharing agreements memorializing the particular purpose and terms of the initiative or relationship.</p>	<p>Disclosures of identifying information to State and Federal agencies may further the purpose and/or mission of DSS for a variety of reasons, depending upon the particular initiative or relationship. Generally, such disclosures aid in the administration of programs and service delivery and allow for increased service coordination across shared client populations.</p>
<p>Estate Administrators & Beneficiaries</p>	<p>DSS discloses identifying information to estate administrators and beneficiaries for purposes of notifications of benefit reimbursement claims against inheritances or estates.</p>	<p>Disclosures to estate administrators and beneficiaries allow the Agency to ensure appropriate benefit distribution and reimbursement.</p>
<p>Landlords & Brokers</p>	<p>DSS may disclose identifying information to landlords and brokers in the course of administering certain benefits, such as rental assistance, and investigating potential instances of source of income discrimination.</p>	<p>Disclosures to landlords and brokers ensure proper administration of housing, subsidy, and rental assistance programs.</p>
<p>Press Outlets & Media</p>	<p>DSS produces stories for dissemination on press outlets and prepares responses to press inquiries. Disclosures of client identifying information to press outlets and media are made only pursuant to client authorization.</p>	<p>Disclosures to the press and media outlets are necessary for external messaging and publication of the Agency's mission, goals, and activities through print, online, and visual media.</p>
<p>Elected Officials & Other Advocates/Constituents</p>	<p>DSS discloses identifying information to elected officials and other constituents for the purposes of resolving DSS program inquiries and concerns. Disclosures to elected officials and constituents are made only pursuant to client authorization.</p>	<p>Disclosures to elected officials and other constituents ensure reduction of barriers to access to services for high-need NYC populations and efficient and meaningful responses to concerns and questions and resolution of case inquiries and issues.</p>
<p>Insurance Companies</p>	<p>DSS discloses identifying information to insurance companies in the course of performing human resources and other personnel related matters, including benefits administration.</p>	<p>Disclosures to insurance companies are necessary for proper administration of Agency employee benefits, including medical insurance.</p>
<p>N.Y.C. Admin. Code §23-1205(1)(e)</p>		

- Proceed to Next Question on Following Page -

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.

Identifying information collected, retained, and disclosed by DSS/HRA/DHS is largely deemed confidential or protected under numerous applicable local, state, and federal laws, depending upon the category of information. As a result, prior to collection, retention, and disclosure of most Agency information, DSS must comply with requirements in such laws and implementing regulations. Requirements include collection of authorization or consent, use of administrative, physical, and technical safeguards for protection of information within the Agency's possession, and/or legal determinations of whether enumerated exceptions within the law are applicable to Agency operations.

Depending upon Program area or function, maintenance and disclosure of DSS information may be governed by various local, state, and federal laws, including but not limited to: the NYC Administrative Code, including the Identifying Information Law; Titles 7 and 26 of the United States Code; Titles 42 and 45 of the Code of Federal Regulations; the New York State Social Services Law and implementing Title 18 New York Codes, Rules, and Regulations; the New York State Public Health Law; the Health Insurance Portability and Accountability Act (HIPAA); NY Public Officers Law; the NY Mental Hygiene Law; and the NY Civil Practice Law & Rules.

DSS practices in relation to the collection, retention, and disclosure of identifying information are therefore governed by extensive restrictions, which, in turn, form the foundation for DSS agency-wide policies, procedures, and staff training.

N.Y.C. Admin. Code §23-1205(2)

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

Not applicable.

N.Y.C. Admin. Code §23-1205(3)

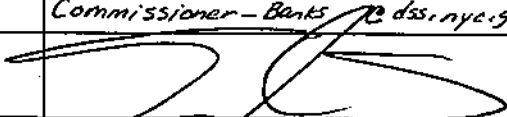
APPROVAL SIGNATURE FOR AGENCY REPORT

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SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):

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Signature:		Date:	7-31-18

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