

STATE OF NEW JERSEY • DEPARTMENT OF COMMUNITY AFFAIRS

SUBJECT: Personally Identifiable Information (PII) Policy

NUMBER: 2.10.44

EFFECTIVE: November 2013

SANDY CDBG-DR

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APPROVAL:



**Robert Bartolone, Director of Auditing and
Accountability Officer**



**Stacy Bonnaffons
Assistant Commissioner**



**Howard McCoach
Director, Sandy Recovery Division**

PURPOSE:

The purpose of this policy is to set forth the requirements for protecting the confidentiality of personally identifiable information (PII) concerning any person making application to any program funded with Community Development Block Grant – Disaster Recovery funds for which PII is required to be provided and/or maintained.

POLICY:

As a condition of making application for CDBG-DR funds, the Federal government requires the Department of Community Affairs and its subrecipients to collect PII to verify program eligibility. In making application for CDBG-DR funds or a CDBG-DR funded program, the applicant acknowledges that PII may be required to be submitted to document eligibility.

The Department of Community Affairs recognizes that this PII is defined by HUD as:

“ information that can be used to distinguish or trace an individual’s identify, such as name, and social security number, alone, or when combined with other personal and identifying information which is linked or linkable to a specify individual , such as date, place of birth, mother’s maiden name, etc.”

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The Department of Community Affairs recognizes that PII, if lost, compromised, or disclosed without authorization could result in substantial harm, embarrassment, inconvenience or unfairness to an individual. For this reason, DCA shall require adherence to the following policy when obtaining, accessing and handling PII.

This policy applies to all DCA staff, subrecipients and contractors who have responsibility for implementing, supervising, or monitoring any program, project or activity funded with CDBG-DR funds.

1. Access to documents, files and electronic data containing PII must be limited to authorized individuals and individuals who require access to this data to perform their work duties. Before gaining access to PII, all staff, subrecipients, consultants and employees of sub-contractors shall sign a *Non-Disclosure Agreement (NDA)*.
2. All requests for PII from unauthorized individuals, members of the public, the media, or other outside entities must be accompanied by the "*Permission for Access to Applicant Information*" form that must be signed by the applicant. (see attached)
3. Interviews and meetings that involve the sharing or discussion of PII are to be held in a private space where conversations cannot be overheard. Any notes or minutes of such meetings must be stored securely unless it is verified that the documents do not contain PII.
4. PII should be discussed over the telephone only after confirming with the applicant that the right party has been contacted and informing that person that PII will be discussed. **Messages containing PII should never be left on voicemail.**
5. PII is not to be transmitted by email or in any other electronic format (e.g., text messages).
6. Applicant/participant files may contain PII, thus the entire file should be protected in a secure and confidential manner that adheres to this policy.
7. Applicant files containing PII shall not be placed on shared network drives or intranets. Rather, it must be secured in a manner that restricts access to only authorized users.

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8. Both civil and criminal penalties may result from non-compliance with these privacy requirements.

PROCEDURES:

All subrecipients, contractors and staff having access to PII must follow the procedures below. Subrecipients and contractors may adopt their own operating procedures that conform to DCA guidelines. **These operating procedures are subject to review and approval by the Department of Community Affairs prior to implementation.**

1. Staff should receive training and periodic refreshers on the importance of maintaining confidentiality in the handling of all PII.
2. The information collected in the course of making application to Superstorm Sandy Disaster Recovery Programs contains PII that shall not be divulged to a third party without the express consent of the applicant.
3. By making application to a program funded with Disaster Recovery funds, the applicant agrees to provide the documentation required by the program to verify eligibility and qualification. This documentation which is collected from the applicant includes, but is not limited to: pay stubs, federal income tax returns, bank accounts, brokerage accounts, retirement accounts, and pension funds.
4. Staff should exercise discretion when speaking about applicants and any conversations concerning applicants or PII should take place in secure locations or closed offices where confidentiality can be maintained.
5. Details regarding applicants are not to be discussed with anyone except supervisors, management and authorized representatives of the Department of Community Affairs.
6. Employees should never remove PII from the workplace, either intentionally or unintentionally.

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7. If information provided by the applicant to verify eligibility includes social security numbers and/or bank or brokerage account numbers, the following procedure shall be followed:
 - a. A copy of the document is made in the presence of the applicant.
 - b. The identifying social security or account information is redacted.
 - c. The document is scanned and uploaded to a secure site.
 - d. The redacted document is returned to the applicant or shredded in the applicant's presence.
8. Confidential documents are to always be kept in a secure location.
9. Computers and passwords are not to be shared.
10. Only program authorized and approved IT equipment is permitted to be used to process, store, and disseminate information and data.
11. Egrants and other renew Jersey Stronger program applications shall only be accessed from a program-authorized desktop, laptop or mobile device. Accessing eGrants and other renew Jersey Stronger program applications from a non-program asset is strictly prohibited.
12. All authorized USB storages devices that are used to store data must use encryption when uploading data that meets or exceeds FIPS 140-2 and NIST SP 800-111 Guide to Storage Encryption Technologies for End User Devices, Standards, i.e.(AES-256 or higher).
13. All program users must lock their workstation, laptop or mobile device when leaving such devices unattended.
14. Device monitors/screens shall be programmed to immediately lockout users after five minutes of inactivity.
15. In some instances, applicants have requested the assistance of advocates to help them through the recovery process. This assistance may involve help to complete housing applications, gather required data, or interpret programmatic requirements. Proper

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permission must be granted by the applicant prior to sharing any PII on an applicant – including, but not limited to status of application and the amount of award.

Prior to allowing anyone other than the applicant to participate in meetings with housing counselors, or gain access to any information related to a specific applicant, the applicant is required to come in to the nearest Housing Center with his/her advocate and sign a consent form (see attached). Advocates will be required to produce some form of picture identification at that time.

In some instances, housing advocates are working with applicants who are unable to physically come to the Center. In such cases, if the applicant or his/her advocate contacts the Supervisor of the Housing Center, arrangements shall be made to meet with the applicant and his/her advocate at the applicant's current place of residence.

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Permission to Access Applicant Information

By completing the information below, you are agreeing that the person you list will be able to access verbal and written information regarding your application for Superstorm Sandy Recovery Assistance, and any additional information related to the program for which you have applied.

Name of Attorney/Non-Attorney Advocate (please print) _____

Address of Attorney/Non-Attorney Advocate

Relationship _____

Information that may be disclosed

I understand by signing this form that the New Jersey Department of Community Affairs, its staff and contractors are allowed to speak freely about my application for housing assistance and related matters, within any limits specified above. I understand that I may revoke this permission at any time by sending a signed, dated statement to Stephen Grady, Assistant Director – Housing Programs, Sandy Recovery Division, New Jersey Department of Community Affairs 101 South Broad, Trenton, NJ 08625.

Applicant Name (printed) _____

Applicant Name (signed) _____

Date _____ Time _____

This permission may be revoked at any time by the applicant. To do so, please:

- Check the box below
- Sign in the space provided below.
- Return the form to Stephen Grady, Assistant Director – Housing Programs, Sandy Recovery Division, New Jersey Department of Community Affairs (Email: stephen.grady@dca.nj.state.us)

I hereby revoke permission for Advocate Access to Information.

Applicant Name (signed) _____ Date _____ Time _____