




## City of Riverside Administrative Manual

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*Approved:*

  
 Michael D. Moore (Nov 21, 2022 16:12 PST)

Department

City Manager

### SUBJECT:

### Confidential Information

### PURPOSE:

The purpose of this Confidential Information Policy is to assist in both the prevention and detection of identity theft by outlining administrative, technical, and physical security guidelines for collecting, retaining, restricting access to, sharing and disclosing personal information of City employees, applicants for employment or residents of Riverside.

### POLICY:

This policy covers all persons employed by the City of Riverside, both during and after employment. This policy prohibits confidential information protected from disclosure under Federal law (Health Insurance Portability and Accountability Act of 1996 – HIPAA) and State law (California Public Records Act, Government Code §§6250 et seq) from being collected, retained, accessed, disclosed or released in any format to or by any person that does not have a “need to know” without the proper consent of the individual involved or without specific authorization from the appropriate level of City management.

### Types of Information to be Protected

#### Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Individuals having access to confidential health/medical information are bound by ethical and legal restrictions. Health/medical information must not be accessed, removed, discussed with, disclosed or released to unauthorized persons without the proper consent or knowledge of the individual.

Situations in violation of the policy include but are not limited to:

- “Loose” talk among human resources, risk management, workers’ compensation and/or payroll staff regarding health and medical information about any current or prior employee;

- Allowing unauthorized access of systems/applications/computers to confidential health/medical or employee personal information to others who do not have a need to have the information, do not have the authority to access in the course of their work, or do not have a need to know to carry out their job duties;

- Releasing or disclosing confidential health/medical or employee personal information to others who are not authorized to receive such information.

**California Public Records Act (Government Code §6250 et seq.)<sup>1</sup>**

Under the Public Records Act, certain public records are exempt from disclosure. Any questions related to the disclosure of specific public records should be sent to the City Attorney's Office for review and response. The following is a non-exhaustive list of such records:

**1. Personal and Private Information**

Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy. Examples include but are not limited to: health information, Social Security Number, Bank Account number, worker's compensation claims and benefits, residence addresses.

**2. Law Enforcement and Related Investigative Records**

**3. Certain Information in Applications to Carry Concealed Weapons**

Certain information contained in applications for licenses to carry firearms issued pursuant to sections 26150, 26155, 26170 or 26215 of the Penal Code by the sheriff of a county or the chief or other head of a municipal police department, which indicates when or where the applicant is vulnerable to attack or concerns the applicant's medical or psychological history or that of his/her family members or is the telephone numbers and home address information, except for city and ZIP Code information of an applicant/licensee.

**4. Local Business Taxpayer Information Submitted in Confidence**

Information required from any taxpayer in connection with the collection of local taxes, which is received in confidence, and the disclosure of the information to other persons that would result in unfair competitive disadvantage to the person supplying the information.

**5. Library Circulation Records; Library and Museum Exhibits**

Library circulation records kept for the purpose of identifying the borrower of items available in libraries, and library and museum materials made or acquired and presented solely for reference or exhibition purposes.

**6. Registration and Circulation Records of Publicly Supported Libraries/Library Patron Use Records**

All registration and circulation records of the library shall remain confidential and shall not be disclosed to any person, local agency, or state agency except as follows:

- (a) By a person acting within the scope of his or her duties within the administration of the library;
- (b) By a person authorized, in writing, by the individual to whom the records pertain, to inspect the records;
- (c) By order of the superior court.

The term "registration records" includes any information which a library requires a patron to provide in order to become eligible to borrow books and other materials, and the term "circulation records" includes any information which identifies the patrons borrowing particular books and other material.

All patron use records of the library are confidential and may not be disclosed except to persons

acting within the scope of their duties within library administration, upon written authorization from the person whose records are sought, or by court order. The term “patron use records” includes written or electronic records that identify the patron, the patron’s borrowing information, or use of library resources, including database search records and any other personally identifiable information requests or inquiries.

## **Disposal of Confidential Documents**

Documents with confidential information must be disposed of utilizing designated locked containers for shredding.

## **Reporting Breach of Confidentiality**

Any employee aware of a potential breach of security or compromise of systems/applications containing personal information must immediately report violations of this policy. Options include reporting to a supervisor, manager, department or division head, Chief Innovation Officer (CIO), Assistant City Manager (ACM), or by calling the confidential Privacy Information Hotline at 951-826-2232.

## **Disciplinary Action for Non-Compliance**

Violation of this policy is cause for immediate disciplinary action, up to and including termination of employment, and in accordance with the *City’s Human Resources Policy and Procedure Manual, Discipline Policy III-1*.

## **SOURCE OF AUTHORITY:**

Health Insurance Portability and Accountability Act of 1996 – HIPAA  
California Public Records Act (Government Code §6250 et seq)  
City Charter Section 601

## **References:**

### ***Health Insurance Portability & Accountability Act of 1996 (HIPAA)***

<https://aspe.hhs.gov/reports/health-insurance-portability-accountability-act-1996>

### ***California Government Code §6250 ET SEQ. (California Public Records Act)***

<https://www.ftb.ca.gov/your-rights/california-public-records-act.html>

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<sup>1</sup>Source:

[https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=GOV&division=7.&title=1.&part=&chapter=3.5.&article=2](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=7.&title=1.&part=&chapter=3.5.&article=2)