**DHS/DFCS Information Collection, Use and Disclosure Statement**

**For Foster Caregivers**

*This collection, use and disclosure statement explains how and why the Department of Human Services, Division of Family and Children Services (DHS/DFCS) collects, uses and may disclose personal information on foster caregivers. The term foster caregiver includes DHS/DFCS foster parents, relative foster parents, relative caregivers and Child Placing Agency foster parents. This statement is provided along with the DHS Notice of Privacy Practices.*

**DHS/DFCS**

DHS/DFCS is the lead child welfare agency for Georgia. In addition to developing and supporting its own foster caregiver homes, DHS/DFCS contracts with private organizations known as Child Placing Agencies (CPAs). CPAs develop and support their own foster caregiver homes. CPA foster caregiver homes that are used as a placement for a child in foster care are however held to the same standards, expectations and practices as DHS/DFCS foster caregiver homes which includes being covered under the provisions and requirements of this disclosure statement.

**Collection and Use of Personal Information**

DHS/DFCS is charged with the safekeeping of children and ensuring their well-being. One way this is accomplished is by ensuring that foster caregivers and their household members are thoroughly screened and assessed at initial approval, subsequent re-evaluations and throughout foster caregiving service. Ongoing screening and assessment is accomplished through information collection. Information is collected in many different ways including from criminal history databases, child welfare information systems, self-report forms, observation, interviews, meetings and participation in training.

**Paper and Electronic Data Storage**

The official child welfare case record for Georgia children and families is the DHS/DFCS GA SHINES system. Information may also be stored in paper files. DHS/DFCS as the state’s lead child welfare is federally required to have a **S**tatewide **A**utomated **C**hild **W**elfare **I**nformation **S**ystem or SACWIS. A SACWIS is a comprehensive automated case management tool that serves as a state’s “official case record”. Therefore information gathered by DHS/DFCS or CPAs on foster caregivers and their household members must be stored in the GA SHINES system.

With limited exceptions, only DHS/DFCS employees have access to GA SHINES. State laws as well as employment policies and procedures govern the behavior of DHS/DFCS staff as it pertains to the appropriate access and use of case record information. CPAs do not have direct access to the GA SHINES system and therefore utilize the GA SCORE[[1]](#footnote-1) system to store foster caregiver’s information. Information in GA SCORE is manually retrieved by DHS/DFCS and transferred to GA SHINES.

**Public Records Disclosure**

Georgia’s Open Records Act (ORA) (O.C.G.A 50-18-70(b)) provides citizens broad access to those records and documents of state operated public agencies which are public records pursuant to the ORA. DHS/DFCS’s records, except where exempted by law, are subject to public disclosure. Foster caregiver information in GA SHINES or in DFCS paper files are public records not expressly exempted, and therefore, subject to disclosure. Additionally, records prepared or maintained by a private entity in cooperation with public officials, or contemplating the use of public resources and funds are considered public records and are also subject to the ORA. In sum, this means that foster caregiver information whether contained in DHS/DFCS’s or a CPA’s paper or electronic records is subject to public disclosure. Information not subject to disclosure would be information violating HIPAA privacy and security requirements or confidentiality laws related to Child Protective Services investigations. Medical records are not required to be disclosed under the Open Records Act.

For more information about the ORA, please consult legal counsel or visit Georgia’s First Amendment Foundation at [www.gfaf.org](http://www.gfaf.org) .

**Health Insurance Portability and Accountability Act (HIPAA)**

DHS/DFCS protects the confidentiality of personal health information in compliance with HIPAA. DHS/DFCS is required by law to maintain the privacy of protected health information in its records as well as provide notice of this legal duty and our HIPAA privacy practices. You should have been provided with the DHS Notice of Privacy Practices along with this document. Please sign and return the Notice to your DHS/DFCS or CPA representative.

**Contact Information**

If you have any questions about this informational document or concerns about access or disclosure of your information, please contact your lead agency representative. If you have any questions about the DHS HIPAA information, please contact the DHS HIPAA Privacy Officer at hipaa1@dhr.state.ga.us.

1. GA SCORE is a data system used by DHS/DFCS to monitor the work of CPAs and Child Caring Institutions (group homes). [↑](#footnote-ref-1)