# Procedural Standard 12-1

 **April 30, 2012**

TO: DES Staff

FR: A.E. Adams, Ph.D., Director, Disability Evaluation Services (DES)

BY: Sherry J. Campanelli, Program Compliance Manager (DES)

**RE: Processing Cases of DES Staff Members, Family, Friends and/or High Profile Individuals**

**Policy:** In general,DES staff must not be involved in the processing of disability cases of their family members and/or friends or associates with whom they have an established relationship. There are both ethical and privacy considerations in the processing of these types of cases. Furthermore, the disability applications of current and former DES staff members and high profile individuals also require special handling. Privacy concerns require that applications of current and former employees and high profile individuals should be handled by the fewest possible number of DES staff to assure only those with a need to know are privy to the protected health information.

Ethical considerations further dictate that disability reviews be conducted in an objective way without even a perception of favor or disadvantage to the applicant based on relationship(s) with DES staff. Seeking advantage for oneself or a friend, family member, associate or anyone else with whom the DES staff member has an established relationship is strictly prohibited.

**Procedure:** The purpose of this memorandum is to provide guidance to DES staff regarding the processing of disability applications for current or former DES staff members, family members, friends or associates and high profile individuals.

**Current and Former DES staff:**

Any current DES staff member who is also applying for or receiving any of the programs that DES administers on behalf of any agency will notify any Supervisor/Manager who in turn will bring the case to the Associate Director of Clinical Affairs (AD), or designee, for special case handling. It is not appropriate for current staff to access or alter their own case records, whether electronic or hard copy but rather they must ask their Supervisor/Manager for assistance with any application-related issues.

Once any DES staff person becomes aware of an application involving a former DES employee, they will notify their Supervisor/Manager who will in turn bring the case to the AD for special handling. No discussion should occur between or among staff, or with the applicant, about the case except as required to complete the review.

**Family Members, Friends or Associates**

DES staff must assure that they are not involved in applications for family members, friends or associates. If a DES employee comes across an application of a family member, friend or associate while in the course of their assigned work they must immediately forward the case to their Supervisor/Manager who will in turn consult with the AD to assure that other DES staff handle the case. Accessing and/or altering confidential information belonging to anyone in these relationship categories is limited to only those individuals who are assigned to process the case.

If family member/friend or associate contacts a DES staff member about their application, they should instruct the person according to the normal procedure for the situation and notify their Supervisor. If a member of management receives an inquiry from family, friends or associates they should consult with the AD (or designee). In both cases, the supervisor or AD will assure that the case is processed or the inquiry resolved without the involvement of or any further discussion with the DES staff member. Again, no discussion should occur between or among staff, or with the applicant, about the case except as required to complete the review.

**Public Figures, Celebrities, and/or Other High Profile Individuals**

If a DES employee comes across an application of a public figure, celebrity or other high profile individual while in the course of their assigned work they must immediately notify their Supervisor/Manager who will in turn consult with the AD to assure that the case is properly handled and only by those DES staff involved in the necessary processing of the case. Accessing the records of such individuals without a “need to know” and/or altering confidential information belonging to anyone in these categories is limited to only those individuals who are assigned to process the case. Also, no discussion should occur between or among staff about the case except as required to complete the review.

Failure to follow these guidelines will subject the DES staff member to disciplinary action.

**Summary:** Individual DES staff members must not be involved in the handling of applications of family members, friends or associates with whom they have an established relationship. Furthermore, DES staff members have a duty to disclose these relationships to their Supervisor/Manager when they occur in the course of business so that such cases can be handled appropriately. Applications of current and former DES staff and high profile individuals are to receive special handling under the direction of the AD to assure the greatest degree of confidentiality possible.