



*State of New Jersey*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT

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March 9, 2015

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*Director*  
Tel: (609) 588-2000

**Action Transmittal**

**Number: 15-06**

**IV-D Policy and Procedures**

TO: County Welfare Agency Directors  
County Welfare Child Support Supervisors  
County Welfare Attorneys  
Chief Probation Officers  
Probation Division IV-D Supervisors  
Family Practice Division Managers  
Finance Division Managers  
County Sheriffs' Departments  
All Child Support Data Users

**SUBJECT: Child Support Data Security Policy 2015: Training Course, Data Security Manual, IRS Video, Confidentiality Agreement & Incident Reporting Protocol**

OCSS' Data Security Policy shall be issued on an annual basis to provide staff with the most current procedures and materials to ensure compliance with federal and state safeguarding requirements. **All staff must fulfill the requirements outlined below unless noted otherwise.**

**1. Data Security Training**

As indicated in previous Action Transmittal No. 14-11, annual completion of the newly-developed Data Security in Child Support training is now a requirement for all staff. The live classroom training course will be offered on a monthly basis at all NJCSI sites beginning Spring 2015. **All child support staff with direct access to NJKiDS must attend the classroom training in person at NJCSI once every three years.** After successful completion of the classroom training for the first time, staff may fulfill this requirement the following two years by viewing the web-based training (WBT) in lieu of the classroom course. The subsequent year will once again require in person classroom attendance, followed by two years of the WBT to be continued on an ongoing basis.

Staff may register for the course when available by logging into the staff portal at [www.njchildsupport.org](http://www.njchildsupport.org), clicking the "NJCSI/LMS" icon, selecting the Data Security in Child Support course/location and requesting enrollment accordingly.

**The following users are exempt from classroom attendance and may fulfill the training requirement solely by viewing the Data Security in Child Support WBT on an annual basis:**

- Contracted vendor staff (with direct NJKiDS access)
- SDU Call Center staff (with direct NJKiDS access)
- Judiciary Law Clerks (with direct NJKiDS access)
- Web Portal users (without direct NJKiDS access)

OCSS will notify vendor and portal users with information regarding the WBT once it becomes available in the Fall of 2015.

## **2. Data Security Manual**

*The Child Support Data Security Manual: Confidential, Classified, Federal Tax Information and Family Violence Safeguards, Protocols and Exceptions* (formerly the *Privacy, Confidentiality, and Disclosure Procedures*) has been updated in its entirety and is attached for reference. The Data Security Manual was created to familiarize all child support workers with the required procedures based on current rules and regulations. **The Manual is extremely valuable for all staff to review and reference as it contains comprehensive information regarding:**

- Authorities governing data security in child support;
- Best practices for data security generally including the Clean Desk Policy;
- Three categories of child support information;
- Procedures for gaining access to child support data;
- Systemic and physical protocols for handling each category of child support data including family violence cases;
- Exceptions under which authorized or permissible disclosures or sharing of information may be made; and
- Data breaches and protocols for reporting data security incidents.

## **3. IRS Disclosure Awareness Training Video**

**All child support staff with direct access to NJKiDS (including contracted vendor staff, SDU call center staff and Judiciary law clerks) is required to view the IRS “Disclosure Awareness Training for State Child Support Agencies” video for calendar year 2015. Web Portal users are no longer required to view the IRS video as the new WBT referenced above is sufficient.**

The video is available on the New Jersey Child Support staff section at <https://staff.njchildsupport.org>. If you have not yet registered online, please refer to OCSS Informational Transmittal No. 07-30, “Updates to the Staff Section of the Child Support Website” dated March 28, 2007 for instructions. Upon registration, the user can then access the video from the New Jersey Child Support Institute (NJCSI) Learning Management System (LMS) portion of the site.

#### 4. Data User and Confidentiality Agreement

**Any (non-Judiciary employee) individual who works with child support information must sign the enclosed *State of New Jersey IV-D Agency Child Support Data User and Confidentiality Agreement*. Judiciary employees who work with child support information must sign the *2015 New Jersey Judiciary Title IV-D Child Support Data User and Confidentiality Agreement* (enclosed for reference) on the JLMS system after the Policy Acknowledgments are assigned.** Both documents are hereinafter interchangeably referred to as “Agreement” for purposes of this Transmittal.

**Original Agreements must be signed before April 17, 2015 and kept on file in every office.** Portal users ONLY must also send either a scanned copy of the Agreement via email to [DFD.CSAgreement@dhs.state.nj.us](mailto:DFD.CSAgreement@dhs.state.nj.us) or send via fax to (609) 588-2064. Agreements are renewed on an annual basis and subject to review by OCSS, OCSE auditors and the IRS. **Please read the Agreement closely before signing to ensure that you understand all the terms and conditions.** By signing the Agreement, you are certifying that you understand what you must and must not do with respect to all child support information.

Attached you will find an updated Questions and Answers sheet for reference purposes.

#### 5. OCSS Incident Reporting Protocol

**All users and entities subject to the Agreement must adhere to the Incident Reporting Protocol laid out below and utilize the attached OCSS Security Incident Report form.**

This Incident Reporting Protocol is identical to the Protocol previously issued in Action Transmittal No. 14-11 except that “shall” has been changed to “may” in the final bullet of Step 3. This change was made to recognize that an individual who is the subject of an incident report will not automatically have their NJKiDS access suspended. Temporary or permanent access to NJKiDS is at the sole discretion of OCSS and determined on an individual basis. Finally, the last step has been designated as Step 4 and a bullet added regarding agencies’ responsibility to contact customers whose personal information has been accessed by an unauthorized person.

**A data breach means any improper or unauthorized inspection, exposure, access, use, misuse, modification, disclosure or release of FTI, classified or confidential information by any person.**

If a data breach is suspected, the following steps must be taken:

1. Complete and submit the OCSS Security Incident Report form (attached) via email **immediately** upon identification of a suspected or observed breach.
2. Email the Security Incident Report form to [DFD.CSIncidentReport@dhs.state.nj.us](mailto:DFD.CSIncidentReport@dhs.state.nj.us). Judiciary employees must **simultaneously** email the Security Incident Report form to DFD per above **and** the AOC to [DFD-CSIncidentRep.Mailbox@judiciary.state.nj.us](mailto:DFD-CSIncidentRep.Mailbox@judiciary.state.nj.us).
  - The e-mail message should contain the following subject heading:  
**Urgent: Security Incident Report**
  - The e-mail message should be marked as “High Importance”

- OCSS shall review the report and determine which state and federal agencies, if any, should be contacted.
    - With regards to classified program information, OCSS must contact the FPLS Information Systems Security Office no later than one hour after discovery of the incident.
    - With regards to FTI, OCSS must contact the Treasury Inspector General for Tax Administration (TIGTA), the IRS Office of Safeguards and the Office of Child Support Enforcement (OCSE) within 24 hours of receiving the incident report.
3. Cooperate with any subsequent OCSS/Other Agency investigation such as providing data and access as needed to determine the facts and circumstances of the incident.
- OCSS will investigate by looking at the category of data involved and the extent that data was compromised to determine if a breach occurred.
  - Pending the OCSS (and/or Other Agency) investigation, the alleged violator's access to all child support systems, including NJKiDS, may be suspended.
4. The Assistant Director or designee will communicate the next steps to the reporter and supervisor such as the need for an on-site visit and/or coordinating an investigation with other agencies.
- OCSS' findings of the review and/or investigation will be provided in writing.
  - If any customer's personal information is determined to have been accessed by an unauthorized person, then the agency of the party responsible for the breach shall notify the customer(s) whose information was breached. OCSS will determine when this notification must take place and work with the appropriate entities to advise how it should be done.
  - Employers may set internal policies regarding the type of disciplinary action to be taken depending on the nature of the incident and the type of information involved. Any disciplinary or remedial action will be carried out based on those findings.

This information must be shared with appropriate staff. Questions concerning this transmittal should be directed to Stacey Amelung-Bogden of my staff at 609-631-2796 or by email to [Stacey.Amelung-Bogden@dhs.state.nj.us](mailto:Stacey.Amelung-Bogden@dhs.state.nj.us).

Sincerely,

/S/

Patricia Risch  
Assistant Director

PR:KVB:LA:HF

cc: Steven Bonville, Chief of Staff, Administrative Office of the Courts  
Robert Smith, Director, Trial Court Services  
Shelley R. Webster, Director, Management and Administrative Services  
John P. McCarthy III, Chief Information Officer  
Elizabeth Domingo, Assistant Director, Probation Services  
Joanne M. Dietrich, Assistant Director, Family Practice Division  
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Jennifer M. Perez, Esq., Chief, Automated Trial Court Systems Unit  
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Mia Sena, NJ Child Support Institute  
Paul Segarra, NJKiDS  
Jens Feck, Regional Program Manager, ACF-OCSE Region II  
Kesha Rodriguez, Program Specialist, ACF-OCSE Region II

**Department of Human Services  
Division of Family Development  
Office of Child Support Services**

**State of New Jersey IV-D Agency  
Child Support Data User and Confidentiality Agreement**

I, \_\_\_\_\_, acknowledge that in the course of my job duties, I have been granted access to child support program information by the Office of Child Support Services (OCSS) via NJKiDS, the IV-D portal or other comparable method.

I acknowledge that child support program information contains confidential, classified and/or Federal Tax Information (FTI) data obtained from a variety of sources such as Federal Parent Locator Services (FPLS) and the Internal Revenue Services (IRS). I understand that:

1. Federal Tax Information (FTI), or return information, means a taxpayer's identity, source of income, credits, assets, net worth, or any other information provided directly by the IRS to the child support program. *Ref. 26 USC §6103.*
2. Classified refers to Federal Parent Locator Service (FPLS) information which consists of the National Directory of New Hires, Debtor File and the Federal Case Registry (FCR). *Ref. 42 U.S.C §653.*
3. Confidential information means any information from any source relating to a specified individual, a child support case or an individual who can be identified by reference to one or more factors specific to him or her, including but not limited to the individual's Social Security number, residential and mailing addresses, employment information, and financial information. *Ref. 45 CFR 303.21(a).*

I agree to comply with and be bound by all Federal and State statutes, regulations, policies and procedures relating to FTI, FPLS, confidentiality, safeguarding and incident reporting including but not limited to:

- 42 U.S.C. 654a Automated Data Processing
- 42 U.S.C. 663 Use of Federal Parent Locator Service in connection with the enforcement or determination of child custody and in cases of parental kidnapping of a child
- Internal Revenue Code sections 6103, 7213(a), 7213A and 7431
- 45 CFR 164.512
- Data Security Manual: Confidential, Classified, Federal Tax Information and Family Violence Safeguards, Protocols and Exceptions
- N.J.A.C. 10:110 *et seq.*
- N.J.S.A. 2A:17-56.1 *et seq.*
- N.J. Ct. R. 1:38. Public Access to Court Records and Administrative Records
- OCSS Action Transmittal #14-03, Revised IRS Publication 1075 Safeguards
- OCSS Action Transmittal #13-24, Standard Operating Procedure: Third Party Authorization
- OCSS Action Transmittal #14-11: Child Support Data Security Policy

**Department of Human Services  
Division of Family Development  
Office of Child Support Services**

I specifically agree that:

- I shall not disclose any child support program information to any party not similarly authorized to receive said information by any means such as orally, in writing or electronically. This includes transmitting any client or case information (other than the Child Support number/CS#) or NJKiDS screen shots in a report or contents of an e-mail.
- I shall not share or allow use of any of my user passwords by any other person.
- I shall not access nor disclose any child support program information pertaining to any individual with whom I am familiar with or related to such as myself, a relative by blood or marriage, personal acquaintance, business acquaintance, friend, current/former partner, peer, co-worker, colleague or supervisor in an open or closed case.
- I shall not remove any child support program information from the workplace unless specifically authorized by the IV-D agency.
- I shall not save, duplicate or reproduce any child support program information by any means such as in writing, photocopy, photography, videotape, audiotape, electronic, Universal Serial Bus (USB) or other portable device.
- I shall adhere to all policies and procedures regarding safeguarding of FTI and FPLS as applicable including its labeling and logging for printing, storing, securing, movement and destruction.
- I shall adhere to all policies and procedures pertaining to safeguarding, handling and of equipment and hardware issued for child support use.
- I shall adhere to all Incident Reporting protocols with respect to known or suspected breaches of data as required by OCSS.
- I shall adhere to all policies and procedures pertaining to Third Party Authorization when receiving requests for the release of case information to an authorized individual or agency.
- I shall adhere to additional security procedures for family and domestic violence cases.

I understand that my individual agency or organization may have additional requirements, codes of conduct or ethics to which I must also adhere independent of this Agreement.

**Department of Human Services  
Division of Family Development  
Office of Child Support Services**

I acknowledge that any unauthorized or improper inspection, access, use, misuse, modification, disclosure or release of FTI, FPLS, classified or confidential information constitutes a data breach in violation of this Agreement and must be reported immediately to OCSS. I understand that a violation is willful when it is done voluntarily and intentionally with full knowledge that it is wrong. I further acknowledge that a willful violation may subject me to disciplinary action, up to and including termination of employment. A violation with respect to a taxpayer may also result in civil or criminal penalties, including but not limited to, penalties set forth under Internal Revenue Code sections 7213, 7213a, 7431, 18 USC 1030 and/or 42 U.S.C. 3120d.

I agree to be bound by the above requirements. I acknowledge that this agreement is only applicable for a year from the date of signing and that due to the sensitive nature of child support data, I will be bound indefinitely by this agreement, even after my departure from my employment or work assignment.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Agency/Position

\_\_\_\_\_  
Date