

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1625

By: Pittman

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5  
6 AS INTRODUCED

7 An Act relating to poor persons; amending 56 O.S.  
8 2001, Section 183, which relates to confidentiality  
9 of certain applications and records; creating Kelly's  
10 Law; prohibiting distribution of Social Security  
11 numbers in certain circumstances; requiring the  
12 establishment of unique identifier system; and  
13 providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 56 O.S. 2001, Section 183, is  
16 amended to read as follows:

17 Section 183. A. This section shall be known and may be cited  
18 as "Kelly's Law".

19 B. All applications, information and records concerning any  
20 applicant or recipient obtained pursuant to law or as authorized by  
21 law by the Department of Human Services or any other public or  
22 private entity shall be confidential and shall be open to inspection  
23 only:

24 1. To persons duly authorized by the Department of Human  
Services pursuant to rule promulgated in compliance with Article I

1 of the Administrative Procedures Act or by the United States in  
2 connection with the performance of their official duties; or

3 2. As otherwise authorized by law.

4 Provided, however, the Department of Human Services shall maintain a  
5 process to allow an authorized representative of a client of the  
6 Department of Human Services to have access to confidential  
7 information when necessary for eligibility determination and the  
8 appeals process. For purposes of this section, "authorized  
9 representative" shall mean any person designated by a client of the  
10 Department of Human Services to review confidential information  
11 about the client pertinent to eligibility determination and the  
12 appeals process.

13 ~~B.~~ C. Any record or other confidential information distributed  
14 by the Department of Human Services to any outside agency or service  
15 provider shall not contain the Social Security number of any  
16 applicant or recipient. The Department of Human Services shall  
17 safeguard the confidentiality of applicant or recipient information  
18 through the use of a unique identifier system.

19 D. It shall be unlawful and a misdemeanor for any public  
20 officer or employee, to furnish or permit to be taken off of the  
21 records any information therein contained for commercial or  
22 political purposes.

23 ~~C.~~ E. It shall also be a felony, punishable by imprisonment in  
24 the ~~State Penitentiary~~ custody of the Department of Corrections for

1 not to exceed two (2) years, for any person, firm or corporation to  
2 publish, or to use for commercial or political purposes, any list or  
3 names obtained through access to such information or records.

4 SECTION 2. This act shall become effective November 1, 2009.

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6 52-1-5344 SDR 01/10/09  
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