

**BILL SUMMARY**  
1<sup>st</sup> Session of the 52<sup>nd</sup> Legislature

<b>Bill No.:</b>	<b>HB 1625</b>
<b>Version:</b>	<b>Proposed Committee Substitute</b>
<b>Author:</b>	<b>Rep. Pittman</b>
<b>Date:</b>	<b>February 17, 2009</b>
<b>Impact:</b>	<b>\$0</b>

**Bill Summary**

**Fiscal Summary**

Fiscal Analyst: David Ligon

House Bill 1625, Kelly's Law, prohibits Department of Human Services (DHS) Developmental Disabilities Services Division (DDSD) and contract providers from allowing service recipient social security numbers be maintained within a home record.

**Fiscal Analysis**

This bill is a result of a DDSD service recipient that experienced identity theft when a Habilitation Training Services staff person used information obtained from a home record to acquire a line of credit in the service recipient's name. DDSD has amended policy OAC 340:100-3-40 (Community records system) to remove the requirement of the social security number in the home record. OAC 340:100-3-2 (Client records, confidentiality and security) states "It is the legal responsibility of Department employees and contract providers to protect the privacy of clients, and to ensure the protection of confidential information." The addition of Kelly's Law would require an emergency rule that would prohibit maintaining social security numbers in home records. According to DHS, there is, however, no fiscal impact related to the agency in regards to this bill.

**Long Term Fiscal Considerations**

This bill may further tighten DHS policy related to either DHS employees or contract providers who attempt to exploit DDSD client's privacy and ensure the protection of confidential information.

Fiscal Analysis Reviewed by:

*Mark Tygret*

House Fiscal Director