



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

JOYCE MASSEY-SMITH, MPA •
Director, Division of Aging and Adult Services

January 22, 2020

DEAR COUNTY DIRECTOR OF SOCIAL SERVICES

ATTENTION: ADULT/CHILD SERVICES SUPERVISORS AND PROGRAM MANAGERS

SUBJECT: VA Standing Written Requests for Patient Information

REQUIRED ACTION: Information Only Time Sensitive Immediate

North Carolina Department of Health and Human Services Secretary Mandy Cohen has signed a letter documenting a standing written request for the Veterans Administration (VA) Medical Facilities operating in North Carolina to make reports of suspect abuse, neglect, dependency or exploitation of adults and children. Despite our state reporting laws, Federal law and the VA require this standing written request letter to be issued. In the request, Secretary Cohen outlines the Department's responsibility for protecting the public health and safety pursuant to North Carolina General Statutes §7B-301 and §108A-102. Specifically, the statutes outline the authority of County Departments of Social Services (DSS) Directors to investigate or obtain information for an Adult Protective Services (APS) evaluation or Child Protective Services (CPS) investigation or assessment.

Once a County DSS receives a report from a VA facility and opens an investigation, a second letter is required to be sent to the VA facility in order for necessary information to be disclosed to the County DSS. The provisions of Title 5 U.S.C. 552a(b)(7) of the Privacy Act govern the disclosure of requested patient information from the Department of Veterans Affairs (VA). The information requested should be the minimum necessary for investigating suspected abuse, neglect, or exploitation of disabled adults for APS, or the minimum necessary required for investigating or assessing the suspected abuse, neglect, or dependency of juveniles for CPS. The enclosed APS or CPS Request for Patient Information Letter forms (CPS, DSS-5337-C) and (APS DAAS-5337-A) should be completed each time your agency requests any records from a VA Medical Facility and/or their associated Outpatient, or Community-Based Outpatient Clinic in NC. These Request for Patient Information letters will need to be issued from the Department.

The Department has developed the following process to request identifiable Patient information from VA facilities in NC upon the receipt of an abuse, neglect, dependency or exploitation report:

- County DSS staff complete and submit the request letter form to their agency's assigned Adult Programs Representative (APR) at DHHS.VA.request.APS@dhhs.nc.gov or Child Program Representative (CPR) at DHHS.VA.request.CPS@dhhs.nc.gov via encrypted email.
- After receiving the completed form, APR/CPR will obtain the required signature.

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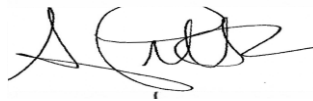
LOCATION: 693 Palmer Drive, Taylor Hall, Raleigh, NC 27603
MAILING ADDRESS: 2101 Mail Service Center, Raleigh, NC 27699-2101
www.ncdhhs.gov • TEL: 919-855-3400 • FAX: 919-733-0443

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

- The APR/CPR will forward the signed request letter form to the appropriate VA agency and courtesy copy the County DSS Director associated with the request.
- VA agency receives the request and sends the requested information directly to the County DSS specified in the request letter form.

Effective immediately, begin following the outlined process to request patient information from Veterans Administration (VA) Medical Facilities operating in North Carolina. If you have any questions you may contact the Adult Services listserv at DAAS.AdultServices@dhhs.nc.gov and include the APR supervisor or contact the Children's Program Representative (CPR) assigned to your county (<https://www.ncdhhs.gov/divisions/social-services/county-staff-information/local-support-staff-schedules/childrens-services>) and copy the local support Manager.

Sincerely,



Angela Pittman, Senior Director
Child, Family, and Aging & Adult Services
NC Department of Health and Human Services

Attachments:

Veterans Administration Request for Patient Information – CPS, DSS-5337-C
Veterans Administration Request for Patient Information – APS, DAAS-5337-A

cc:

Susan G. Osborne, Assistant Secretary for County Operations
Lisa Cauley, Child Welfare Director, Division of Social Services
Joyce Massey-Smith, Director, Division of Aging and Adult Services
Karey Perez, Adult Services Section Chief
Teresa Strom, Child Welfare Section Chief for County Operations
Sarah Smith, Adult Services Program Administrator
Peter West, Child Welfare Local Support Manager
Jennifer Oshnock, Regional Program Supervisor

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