



ADMINISTRATIVE RULES OF MONTANA



37.78.106 TANF: SAFEGUARDING AND SHARING INFORMATION

- (1) Use of information concerning applicants for or participants in TANF is restricted to purposes directly connected with the administration of TANF and other federally assisted programs which provide assistance to individuals on the basis of need.
- (2) The department may use or share confidential information concerning an applicant for or participant in TANF, without notice or permission of the person for the following purposes:
 - (a) administration of TANF or any of the other federal programs listed in (4);
 - (b) reporting of child abuse and neglect to an appropriate agency or authority or responding to a request for information from an appropriate agency or authority investigating child abuse or neglect;
 - (c) the conduct of child support activities;
 - (d) for other purposes authorized by law; or
 - (e) notification of an appropriate person, authority or other entity that an applicant or participant is making threats to harm himself or herself or to harm others, in order to prevent or lessen the threatened harm.
- (3) Administration of a program includes the use of information by the program necessary for:
 - (a) establishing applicant eligibility;
 - (b) determining amount of assistance for recipient;
 - (c) providing services to recipient;
 - (d) conducting audits and similar activities; or
 - (e) any investigation, prosecution, or criminal or civil proceeding relating to the administration of the program.
- (4) Other federal programs for which confidential applicant information may be used include the following:
 - (a) food stamps;
 - (b) Medicaid;
 - (c) federally assisted unemployment compensation;
 - (d) federal old age assistance;

- (e) federal aid to the blind;
 - (f) federal aid to the disabled;
 - (g) supplemental security income;
 - (h) social security;
 - (i) federally assisted child welfare services;
 - (j) federally assisted foster care;
 - (k) federally assisted adoption assistance;
 - (l) federally assisted weatherization;
 - (m) low income energy assistance;
 - (n) social services block grant;
 - (o) federally assisted work incentive;
 - (p) federally assisted child care assistance; or
 - (q) any other federal or federally assisted program providing assistance, in cash, in-kind or in services, directly to recipients on the basis of need.
- (5) The department, without notice to or the permission of an applicant or participant, may release the current address of the person to a federal, state or local law enforcement officer, if the officer identifies the person and satisfactorily demonstrates:
- (a) that the person is:
 - (i) a fugitive felon;
 - (ii) violating a condition of probation or parole; or
 - (iii) has information necessary for the officer to conduct the officer's official duties; and
 - (b) that locating and/or apprehending the person is within the official duties of the officer.
- (6) The department, without prior permission of the applicant or participant, may within its discretion release confidential information necessary for the provision of emergency services to meet medical and other critical needs of the person. Notice of the release must be given as soon as possible to the person.

Authorizing statute(s): 53-2-201, 53-4-212, MCA

Implementing statute(s): 53-2-105, 53-2-201, 53-2-211, 53-3-111, 53-4-211, MCA

History: NEW, 1998 MAR p. 3284, Eff. 12/18/98; TRANS, from SRS, 2000 MAR p. 3414; AMD, 2003 MAR p. 15, Eff. 1/17/03; AMD, 2004 MAR p. 1482, Eff. 7/2/04.