



Human Services of Faribault & Martin Counties

"An Equal Opportunity Employer"

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HOW DO I ASK FOR INFORMATION?

Human Services of Faribault & Martin Counties has procedures to assist with completing your request.

- A written request may be requested.
- Prepayment for copies may be required.
- A data subject may need to provide identification for private information.

Data About You

The Government Data Practices Act (Minnesota Statutes, Chapter 13) says that data subjects have certain rights related to a government entity collecting, creating, and keeping government data about them. You are the subject of data when you can be identified from the data. Government data is a term that means all recorded information a government entity has, including paper, email, DVDs, photographs, etc.

Classification of Data About You

The Government Data Practices Act presumes that all government data are public unless a state or federal law says that the data are not public. Data about you are classified by state law as public, private, or confidential.

PUBLIC DATA: We must give public data to anyone who asks, it does not matter who is asking for the data or why.

The following is an example of public data about you: If you are an employee of a government entity, the fact that you work for the entity, and your job title and bargaining unit is public.

PRIVATE DATA: We cannot give private data to the general public, but you have access when the data are about you. We can share your private data with you, with someone who has your permission, with Human Services of Faribault & Martin Counties staff who need the data to do their work, and as permitted by law or court order.

The following is an example of private data about you: your Social Security Number.

CONFIDENTIAL DATA: Confidential data have the most protection. Neither the public nor you can get access even when the confidential data are about you. We can share confidential data about you with Human Services of Faribault & Martin Counties staff who need the data to do their work and to others as permitted by law or court order.

The following is an example of confidential data about you: the identity of the subject of an active criminal investigation.

Your Rights Under the Government Data Practices Act

Human Services of Faribault & Martin Counties must keep all government data in a way that makes it easy for you to access data about you. Also, we can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. As a data subject, you have the following rights.

ACCESS TO YOUR DATA: You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

As a parent, you have the right to look at and get copies of public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to look at and get copies of public and private data about an individual for whom you are appointed guardian.

Minors have the right to ask Human Services of Faribault & Martin Counties not to give data about them to their parent or guardian. If you are a minor, we will tell you that you have this right. We will ask you to put your request in writing and to include the reasons that we should deny your parents access to the data. We will make the final decision about your request based on your best interests.

WHEN WE COLLECT DATA FROM YOU: When we ask you to provide data about yourself that are not public, we must give you a notice. The notice is sometimes called a Tennesen warning. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent. If you want us to release data to another person, you may use the consent form we provide. HSFMC will release data pursuant to a consent form created by another entity such as a law firm seeking information to assist an applicant with a Social Security application, and signed by you.

PROTECTING YOUR DATA: The Government Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data are safe.

WHEN YOUR DATA ARE INACCURATE AND/OR INCOMPLETE: You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

How to Make a Request for Your Data

To look at data, or request copies of data that Human Services of Faribault & Martin Counties keeps about you, your minor children, or an individual for whom you have been appointed legal guardian, make a written request. Make your request for data to the Data Practices Compliance Official, Emily Hanson. You may make your written request in person, by mail or fax, or by emailing datarequests@fmchs.com – by completing the Information Disclosure Request Form. If you are asking a third party to gather information on your behalf, you will need to sign a consent form specifying the third party and the reason for the request. Requests for a small amount of public data may not require a written request, at the sole discretion of the Data Practices Compliance Official. Examples include: copy of birth certificate, pay stub, or application.

If you choose not to use the Information Disclosure Request Form, your written request should include:

- that you are making a request, under the Government Data Practices Act (Minnesota Statutes, Chapter 13), as a data subject, for data about you;
- whether you would like to inspect the data, have copies of the data, or both;
- a clear description of the data you would like to inspect or have copied; and
- identifying information that proves you are the data subject, or data subject's parent/guardian.

If the data is private, Human Services of Faribault & Martin Counties requires proof of your identity before we can respond to your request for data. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a guardian, you must show legal documentation of your guardianship. Please see the Standards for Verifying Identity below.

How We Respond to a Data Request for Your Data

Once you make your written request, we will work to process your request. If it is not clear what data you are requesting, we will ask you for clarification.

- If we do not have the data, we will notify you in writing within ten business days.
- If we have the data, but the data are confidential or private data that are not about you, we will notify you in writing within ten business days and state which specific law says you cannot access the data.

- If we have the data, and the data are public or private data about you, we will respond to your request within ten business days, by doing one of the following:
 - Arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
 - Provide you with copies of the data within ten business days. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies upon request if we keep the data in electronic format. See Fee Schedule below about copy charges. We also will arrange for you to prepay for copies. Prepayment of copies is required unless other arrangements are approved by the Program Manager.

After we have provided you with access to data about you, we do not have to show you the data again for six months unless there is a dispute, or we collect or create new data about you.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.) If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, we are not required under the Government Data Practices Act to respond to questions that are not requests for data.

Data for the Public – Right to Access Public Data

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a governmental entity has, including paper, email, DVDs, photographs, etc.

The Government Data Practices Act also provides that Human Services of Faribault & Martin Counties must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Make a Data Request for the Public

To look at data or request copies of data that HSFMC keeps, make a written request. Make your written request for data to the Data Practices Compliance Official, Emily Hanson. You may make your written request for data in person, by mail or fax, or by emailing datarequests@fmchs.com - by completing the Information Disclosure Request Form. Requests for a small amount of public data may not require a written request, at

the sole discretion of a Program Manager. Examples include: program brochures, bulletins, and prepared reports.

If you choose not to use the Information Disclosure Request Form, your written request should include:

- that you, as a member of the public, are making a request for data under the Data Practices Act, Minnesota Statutes, Chapter 13;
- whether you would like to look at the data, get copies of the data, or both; and
- a clear description of the data you would like to inspect or have copied.

HSFMC cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

How We Respond to a Data Request for the Public

Upon receiving your written request, we will work to process it.

- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have the data, but the data are not public, we will notify you in writing as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
 - Arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
 - Tell you the amount you owe for copy costs, and then provide you with copies of the data as soon as reasonably possible after you pay for them.
 - You may choose to pick up your copies, or we will mail or fax them to you. If you want us to send you the copies, you will need to provide us with an address or fax number. We will provide electronic copies upon request if we keep the data in electronic format. See Fee Schedule below for copy charges. We also will arrange for you to prepay for the copies. Prepayment of copies is required unless other arrangements are approved by the Program Manager.
 - Response time may be impacted by the size and/or complexity of your request, and also by the number of requests you make in a given period of time.
 - If you are making a request for a large amount of data, the data may be rolled out over time. If you fail to pay for or retrieve the information within five days of notification it is available, we will consider the entire request abandoned.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.) If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, the Government Data Practices Act does not require us to answer questions that are not requests for data.

Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. HSFMC will prepare summary data if you make your request in writing and prepay for the cost of creating the data. Upon receiving your written request – you may use the Information Disclosure Request Form – we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

Fee Schedule – Copy Costs

This section is extracted from the Service Fee Policy.

Fax: HSFMC charges for outgoing faxes.

Fax – Outgoing	\$1.00	
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Copies: HSFMC charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). Pre-payment of copies is required unless other arrangements are approved by the Program Manager. Data release is subject to current Data Practices Policies and Statute.

Copy	\$0.25 per page	Two-sided copies count/charge as two (2) pages.
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Record/Data Requests: In determining the actual cost of making copies, employee time, the cost of the materials, and mailing costs are factors. Client requesting copies must complete the Information Disclosure Request (HSB-21) and must pay, in advance, at least half of the estimated cost prior to the copies being made.

Record/Data Requests	For 100 or fewer black and white copies	\$0.25 per page – two-sided copies count/charge as two (2) pages
Record/Data Requests	For more than 100 black and white paper copies and most other types of copies (photographs, audiotapes, data on a CD or DVD, data stored electronically, etc.	Charge the actual cost of employee time to: (1) search for and retrieve the data (2) make the copies, and (3) cost of electronic storage device (CD, flash drive, etc.

Postage: HSFMC charges for postage costs at actual cost when not part of a provided service.

Postage	actual cost	If not part of service provided
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Emailed Documents-Electronic Copies: There will be no charge to email existing electronic documents. A fee may be charged for documents needing electronic conversion (scanning). There will be no charge if conversion is part of service provided.

Emailed documents-electronic documents	no charge	
Emailed documents-scanned	actual cost	\$1.00/first page plus \$.25/per additional page. No charge if part of service provided.

Standards for Verifying Identity

The following constitute proof of identity.

- Known to the employee – personally or through employment.
- An **adult individual** must provide a valid photo ID, such as a
 - state driver's license
 - military ID
 - passport
 - Minnesota ID
 - Minnesota tribal ID
- A **minor individual** must provide a valid photo ID, such as a
 - state driver's license
 - military ID
 - passport
 - Minnesota ID
 - Minnesota tribal ID
 - Minnesota school ID
- The **parent or guardian of a minor** must provide a valid ID **and either a**
 - certified copy of the minor's birth certificate or
 - certified copy of documents that establish the parent or guardian's relationship to the child, such as
 - a court order relating to divorce, separation, custody, foster care
 - a foster care contract
 - an affidavit of parentage
- The **legal guardian for an individual** must provide a valid photo ID **and a** certified copy of appropriate documentation of formal or informal appointment as guardian, such as
 - court order(s)
 - valid power of attorney

NOTE: Individuals who do not exercise their data practices rights in person must provide either notarized or certified copies of the documents that are required or an affidavit of ID.