

# CITY OF LOS ANGELES

CALIFORNIA

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**DATE:** March 7, 2018

**TO:** LA's Workforce Development System

**FROM:** Gerardo Ruvalcaba, Director  
Workforce Development System 

**SUBJECT: WDS DIRECTIVE NO. 18-16**  
*(Supersedes WDS Directive No. 17-04)*  
**CONFIDENTIALITY OF MEDICAL INFORMATION**

## EFFECTIVE DATE

This directive is effective upon date of issue.

## PURPOSE

The purpose of this directive is to update and clarify the procedures required for the collection and storage of disability related information.

## BACKGROUND

As previously stated in Directives 02-04 (8/01/01), 06-10 (11/01/05), and 17-04 (8/24/16) Federal and State regulations require that any medical information provided by an individual must be kept in a separate file. Section 188 of the Workforce Innovation and Opportunity Act (WIOA) 29 CFR 38.41 b3 clearly states these requirements. These files must be kept in a secure location, and access to the files must be on a need-to-know basis only. These regulations apply to both staff employees and clients.

During the application process, disability-related information must be collected on a separate questionnaire. No disability-related questions can be asked on the regular application. This includes the basic "Do you have a Disability, Yes/No" question. Also, since a client may reveal SSI or SSDI as a source of income (indicating the individual has a disability), the "household income" portion must be on the separate questionnaire as well.

For clients, any medical information the client provides must be kept in the separate file. This includes medical information recorded in case notes; medical provider releases; etc. The separate application with disability-related questions must be kept in the separate, more secure file. The two disability-related questions on the CalJobs application must be redacted on ALL applications before putting the printed application into the main file. A non-redacted copy should be put into the more secure, medical file.

**CONTACT**

If you have any questions or require further information, please contact Maureen Brown at (213) 744-7272 or TTY (213) 744-7290.

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