

Helena Gardner

From: Harritt, Susan <Susan.Harritt@state.vt.us>
Sent: Friday, November 09, 2012 1:03 PM
To: Helena Gardner
Cc: Yacovone, Dave; London, Sarah
Subject: Public records study committee request

I have had an opportunity to speak with DCF Commissioner Dave Yacovone about the Public Records Study Committee's request regarding 33 VSA §§ 105(c)(2) and 304(b)(2). In particular, we discussed whether the Department saw a need to retain the following bolded sentence that appears in these statutes. The sentence in question reads: **"Those regulations shall contain provisions restricting the use or disclosure of information contained in the records to purposes directly connected with the administration of the department."**

In light of 33 VSA § 111 which prohibits the disclosure of names of or information pertaining to applicants for or recipients of assistance or benefits, except for purposes directly connected with the administration of the department or when required by law, the Department does not object to the deletion of the verbiage in § 105(c)(2) and § 304(b)(2) relating to restricting the use or disclosure of information. The Department's agreement is premised both on its understanding that §§ 105 and 304 will retain the language setting out the commissioner's duties to "fix standards and issue regulations necessary to administer those laws and for the custody and preservation of records of the department" and on the continuing existence of § 111.

Please let me know if any further action on my end or on the part of the Department is required.

Thanks and enjoy the long weekend.