

## 2016 Kansas Statutes

**39-709b. Information concerning applicants for and recipients of assistance; confidentiality, exceptions; publication of statistics.** (a) Information concerning applicants for and recipients of assistance from the secretary shall be confidential and privileged and shall only be available to the secretary and the officers and employees of the secretary except as set forth in this section. Unless otherwise prohibited by law, such information shall be disclosed to an applicant, recipient or outside source under the following conditions:

- (1) Information shall be disclosed to the post auditor in accordance with and subject to the provisions of K.S.A. 46-1106(g), and amendments thereto;
  - (2) information shall be disclosed to an applicant or recipient in accordance with and subject to rules and regulations adopted by the secretary; and
  - (3) information may be disclosed to an outside source if such disclosure:
    - (A) Has been consented to in writing by the applicant or recipient and the applicant or recipient has been granted access by the secretary to the information to be disclosed, except that in an emergency information may be disclosed without a written consent if such disclosure is deemed by the secretary to be in the best interests of the applicant or recipient;
    - (B) is directly connected to the administration of the secretary's program;
    - (C) is directly connected to an investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of the secretary's program;
    - (D) is authorized by a state plan developed by the secretary pursuant to the federal social security act or any other federal program providing federal financial assistance and services in the field of social welfare; or
    - (E) concerns the intent of an applicant or recipient to commit a crime and in this case such information and the information necessary to prevent the crime shall be disclosed to the appropriate authorities.
- (b) Nothing in this section shall be construed to prohibit the publication of aggregate non-identifying statistics which are so classified as to prevent the identification of specific applicants or recipients.

**History:** L. 1978, ch. 159, § 4; L. 1985, ch. 153, § 1; L. 2015, ch. 42, § 10; July 1.