



**DEPARTMENT OF HEALTH & HUMAN SERVICES**

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**OFFICE OF THE SECRETARY**

**Office for Civil Rights, Region IX**  
90 7th Street, Suite 4-100  
San Francisco, California 94103

March 6, 2014

Ms. Deena Jang  
Chief  
Federal Coordination and Compliance Section  
Civil Rights Division  
U.S. Department of Justice  
950 Pennsylvania Avenue NW - NWB  
Washington, D.C. 20530

Re: DOJ/OCR - Information Sharing Agreement  
DOJ Reference Number: 171-17-29  
OCR Reference Numbers: 11-120884 and 13-150064

Dear Ms. Jang,

The purpose of this letter is to memorialize an information sharing agreement between the United States Department of Justice (DOJ) and the United States Department of Health and Human Services (HHS) Office for Civil Rights (OCR).

HHS OCR is conducting compliance reviews of the Florida Department of Children and Families (DCF) accessibility and usability of access points to Federal public benefits, including Temporary Assistance to Needy Families (TANF), Medicaid, and Supplemental Nutrition Assistance Program (SNAP) for individuals with disabilities and limited English proficient individuals (LEP).

HHS OCR is responsible for investigating complaints of discrimination against recipients of federal financial assistance through HHS and the health and human services programs operated by HHS. HHS OCR promotes and ensures the compliance of those entities with civil rights regulations that prohibit discrimination based on race, color, national origin, disability, age and, in certain instances, sex and religion. HHS OCR also enforces the HIPAA Privacy and Security Rules and the HITECH Breach Notification Rules (45 C.F.R. Parts 160 and 164 Subparts A, C, E, and F). In addition, it is HHS OCR's policy to cooperate with other government agencies, federal, state and local, in the conduct of investigations in which both HHS OCR and the other agency have mutual interests and overlapping jurisdiction.

In light of this policy, HHS OCR is agreeable to engaging in a reciprocal information sharing agreement with DOJ regarding the mutual investigations which pertain to DCF's policies, procedures, and practices regarding the accessibility and usability of access points to Federal public benefits, including TANF, Medicaid, and SNAP for individuals with disabilities and LEP individuals. Under this arrangement, HHS OCR would make available to DOJ all documents and other evidence it has obtained or does obtain during its investigation of DCF.

As a condition of this information sharing agreement, DOJ agrees that all non-public information shared pursuant to this information sharing agreement belongs to and will remain the record or property of the provider. DOJ agrees not to disclose any documentation or information which DOJ receives from HHS OCR. In the event that that DOJ receives a demand (i.e., a subpoena, order, or other demand) for the disclosure of documents or information received from HHS OCR, DOJ will notify HHS OCR before making any disclosures; be responsible for asserting any applicable privileges; and make only those disclosures required by Federal law. In addition, DOJ agrees to notify HHS OCR before disclosing documents or information received from HHS OCR in any administrative or judicial proceeding.

Nothing in this information sharing agreement will prevent DOJ from complying with an order of a court of the United States, or a demand from a duly authorized committee of the United States Senate or House of Representatives, if compliance is deemed compulsory. DOJ will adhere to the requirements of Federal law governing the disclosure of confidential information by a government agency, department or employee, including the Privacy Act, 5 U.S.C. §552a, and the Freedom of Information Act (FOIA), 5 U.S.C. §552. In the event of a request for materials pursuant to FOIA, DOJ agrees to assert all applicable exemptions in protecting the materials disclosed in this investigation.

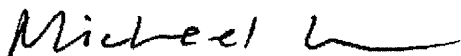
Similarly, as a condition of this information sharing agreement, HHS OCR agrees not to disclose any documentation or information which HHS OCR receives from DOJ. In the event that that HHS OCR receives a demand (i.e., a subpoena, order, or other demand) for the disclosure of documents or information received from DOJ, HHS OCR will notify DOJ before making any disclosures; be responsible for asserting any applicable privileges; and make only those disclosures required by Federal law.

Nothing in this information sharing agreement will prevent HHS OCR from complying with an order of a court of the United States, or a demand from a duly authorized committee of the United States Senate or House of Representatives, if compliance is deemed compulsory. HHS OCR will adhere to the requirements of Federal law governing the disclosure of confidential information by a government agency, department or employee, including the Privacy Act, 5 U.S.C. §552a, and the Freedom of Information Act (FOIA), 5 U.S.C. §552. In the event of a request for materials pursuant to FOIA, HHS OCR agrees to assert all applicable exemptions in protecting the materials disclosed in this investigation.

Assuming that this letter accurately sets forth the terms of the information sharing agreement between HHS OCR and DOJ, HHS OCR has submitted executed copies of this letter. Please sign one copy in the space provided below and return it to HHS OCR.

HHS OCR is pleased to be able to share information and documentation with DOJ. HHS OCR looks forward to working with DOJ.

Sincerely,

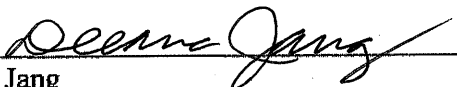


Michael Leoz  
Regional Manager

The above letter accurately reflects the terms of the information-sharing and documentation-sharing agreement between DOJ and the HHS Office for Civil Rights regarding each party's investigation of DCF.

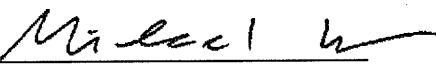
**AGREED to:**

FOR U.S. DEPARTMENT OF JUSTICE

By:   
Deena Jang  
Chief  
Federal Coordination and Compliance Section  
Civil Rights Division  
U.S. Department of Justice

Date: 3/7/14

FOR U.S. DEPARTMENT OF HEALTH  
AND HUMAN SERVICES

By:   
Michael Leoz  
Regional Manager  
Office for Civil Rights  
Region IX

Date: 03.06.14