

SYSTEM NOTICE 09-30-0036

The following changes to System Notice No. 09-30-0036 were printed in the Federal Register, Vol. 59, No. 248, Wednesday December 29, 1994, beginning on page 67077.

Changes

The following minor changes have been made to the system of records as follows:

09-30-0036**System Name:**

Alcohol, Drug Abuse, and Mental Health Epidemiologic and Biometric Research Data, HHS/SAMHSA/OA.

Minor alterations have been made to this system of records notice. The following categories should be revised in their entirety:

SAFEGUARDS:

1. Authorized Users: Access to identifiers and to link files is strictly limited to those authorized personnel whose duties require such access. Procedures for determining authorized access to identified data are established as appropriate for each location. Personnel, including contractor personnel, who may be so authorized include those directly involved in data collection and in the design of research studies, e.g., interviewers and interviewer supervisors; project managers; and statisticians involved in designing sampling plans.

2. Physical safeguards: Records are stored in locked rooms, locked file facilities. Personal identifiers and link files are separated as much as possible and stored in locked files. Computer data access is limited

Individuals who are the subjects of epidemiologic, methodologic, services, evaluations, and

through the use of key words known only to authorized personnel.

3. Procedural safeguards: Collection and maintenance of data is consistent with legislation and regulations in the protection of human subjects, informed consent, confidentiality, and confidentiality specific to drug and alcohol abuse patients where these apply. When a SAMHSA component or a contractor provides anonymous data to research scientists for analysis, study numbers which can be matched to personal identifiers will be eliminated, scrambled, or replaced by the agency or contractor with random numbers which cannot be matched.

Contractors who maintain records in this system are instructed to make no further disclosure of the records. Privacy Act requirements are specifically included in contracts for survey and research activities related to this system. The HHS project directors, contract officers, and project officers oversee compliance with these requirements.

4. Implementation guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual and Part 6, "Automated Information Systems Security" of the HHS Information Resources Management Manual.

SYSTEM MANAGER(S) AND ADDRESS:

Office of Applied Studies, Office of the Director, Room 16-105, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857
Center for Substance Abuse Prevention, Office of the Director, Room 9D10, Rockwall II Building, 5600 Fishers Lane, Rockville, Maryland 20857
Center for Substance Abuse

longitudinal studies and surveys of mental health and alcohol and drug use/abuse. These individuals are

Treatment, Office of the Director, Room 10-75, Rockwall II Building, 5600 Fishers Lane, Rockville, Maryland 20857
Center for Mental Health Services, Office of the Director, Room 15-105, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Systems Notice No. 09-30-0036 as printed in the Federal Register Vol. 58, No. 248, Wednesday, December 29, 1993, Beginning on page 68999.

09-30-0036**System Name:**

Alcohol, drug abuse, and Mental Health Epidemiologic Data, HHS/SAMHSA/OA.

SECURITY CLASSIFICATION:

None

SYSTEM LOCATION

Records are located at facilities which collect or provide service evaluations for this system under contract to the agency. Contractors may include, but are not limited to, research centers, clinics, hospitals, universities, research foundations, national associations, and coordinating centers. Records may also be located at the Office of Applied Studies, Center for Substance Abuse prevention, the Center for Substance Abuse Treatment, and the Center for Mental Health services. A current list of sites is available by writing to the appropriate System manager at the address below.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

selected as representative of the general adult and/or child population or of special groups. Special groups

include, but are not limited to, normal individuals serving as controls; clients referred for or receiving medical, mental health and alcohol and/or drug abuse related treatment and prevention services; providers of services; demographic sub-groups as applicable, such as age, sex, ethnicity, race, occupation, geographic location; and groups exposed to hypothesized risks, such as relatives of individuals who have experienced mental health and/or alcohol, and/or drug abuse disorders, life stresses, or have previous history of mental alcohol and/or drug abuse related illness.

CATEGORIES OF RECORDS IN THE SYSTEM:

The System contains data about the individual as relevant to a particular study. Examples include, but are not limited to items about the health/mental health and/or alcohol or drug consumption patterns of the individual; demographic data; social security numbers (voluntary); past and present life experiences; personality characteristics; social functioning; utilization of health/mental health, alcohol, and/or drug abuse services; family history; physiological measures; and characteristics and activities of health/mental health; alcohol abuse, and/or drug abuse care providers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

SAMHSA: Public Health Service Act sections 301(42 U.S.C. 241), 322(42 U.S.C. 249(c)), 501 (42 U.S.C. 290aa), 503 (42 U.S.C. 290aa-2), and 505 (42 U.S.C. 290aa-4). CSAT: Center for Substance Abuse Treatment, section 507-12 (42 U.S.C. 290bb et, seq.). CSAP Center for Substance Abuse Prevention section 515-18 (42 U.S.C. 290bb-21 et, seq.). CMHS:

3. In the event of litigation, where the defendant is (a) the

Center for Mental Health Services, sections 506 (42 U.S.C. 290aa-5) and 520-35 (42 U.S.C. 290bb-31 et. seq.). Protection and Advocacy for Individuals with Mental Illness Act of 1986 as amended (42 U.S.C. 10801 et seq.); Refugee Education Assistance Act of 1980, section 501(c) (8 U.S.C. 1522 note), Pub. L. 96-422; Executive Order 12341; and Disaster Relief Act of 1974, section 413, Pub L. 93-288, as amended by section 416 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub L. 100-07.

PURPOSES(S):

The purpose of the system of records is to collect and maintain a data base for health services evaluations activities of the Center for Substance Abuse Prevention, the Center for Substance Abuse Treatment, and the Center for Mental Health Services. Analyses of these data involve groups of individuals with given characteristics and do not refer to special individuals. The generation of information and statistical analyses will ultimately lead to a better description and understanding of mental, alcohol, and/or drug abuse disorders, their diagnosis, treatment, and prevention, and the promotion of good physical and mental health.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. A record may be disclosed for an evaluation purpose, when the Department:

(a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; e.g., disclosure of alcohol or drug abuse patient records will be made only in accordance with 42 Department, any component of the department, or any employee of the

U.S.C. 290 (dd-2).

(b) Has determined that the study purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring:

(c) Has required the recipient to (1) establish reasonable administrative technical and physical safeguards to prevent unauthorized use or disclosure of the record, and (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the health services evaluation project, unless the recipient has presented adequate justification of an analytical or health nature for retaining such information, and (3) make no further use or disclosure of the record except (A) in emergency circumstances affecting the health or safety of any individual, (B) for use in another health service research or evaluation project, under these same conditions, and with written authorization of the Department, (C) for disclosure to a properly identified person for the purpose of an audit related to the evaluation project, if information that would enable study subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit or (D) when required by law; and

(d) Has secured a written statement attesting to the recipient's understanding of and willingness to abide by these provisions.

2. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from a congressional office made at the written request of that individual.

Department in his or her official capacity; (b) the United States

where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee; the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected (e.g. disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of the individuals' participation in activities of a Federal Government supported research project).

4. The Department contemplates that it will contract with a private firm for the purpose of collecting, analyzing, aggregating, or otherwise refining records in this system. Relevant records will be disclosed to such contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS ON THE SYSTEM:

STORAGE:

Records may be stored on index cards, file folders, computer tapes, and disks, microfiche, microfilm, and audio and video tapes. Normally, the factual data, with study code numbers are stored on computer tape or disk while the key to personal identifiers is stored separately without factual data, in paper files.

RETRIEVABILITY:

During data collection stages and follow up if any retrieval by personal identifier (e.g. name, social security number) in some studies), or (medical record number), is necessary. During the data analysis stage, data are normally retrieved by the variables of interest (e.g; diagnosis, age, occupation).

SAFEGUARDS:

1. Authorized users: Access to identifiers and to link files is strictly limited to the authorized personnel whose duties require such access. Procedures for determining authorized access to identified data are established as appropriate for each location. Personnel, including contractor personnel, who may be so authorized include those directly involved in data collection and in the design of research studies, e.g; interviewers and interviewer supervisors; project managers, statisticians involved in designing sampling plans.

2. Physical safeguards: Records are stored in locked rooms, locked file cabinets, and/or secured computer facilities. Personal identifiers and link files are separated as much as possible and stored in locked files. Computer data access is limited through the use of key words known only to authorized personnel.

3. Procedure safeguards: Collection and maintenance of data is consistent with legislation and regulations in the protection of human subjects informed consent, confidentiality, and confidentiality specific to drug and alcohol abuse patients where these apply. When an Institute Division or a contractor provides anonymous data to research scientists for analysis, study numbers which can be matched to personal identifiers will be eliminated, scrambled, or replaced by the agency or contractor with random numbers

which cannot be matched.

Contractors who maintain records in this system are instructed to make no further disclosure of the records. Privacy Act requirements are specifically included in contracts for survey and evaluation activities related to this system. The HHS project directors, contract officers and project officers oversee compliance with these requirements.

4. Implementation guidelines: DHHS Chapter 45- and supplementary Chapter PHS hf: 45-13 of the General Administration Manual and Part 6, "ADP System Security" of the HHS ADP Systems Security Manual.

RETENTION AND DISPOSAL:

Personal identifiers are retained only as long as they are needed for the purposes of the current evaluation project, and for follow-up studies generated by the present study. Removal or disposal of identifiers is done according to the storage medium (e.g; erase computer tape, shred or burn index cards, etc.). A staff person designated by the System Manager will oversee and will describe and confirm the disposal in writing.

SYSTEM MANAGER(S) AND ADDRESS:

Office of Applied Studies, Office of the Director, Room 615, Rockwall II Building, 5600 Fishers Lane Rockville, Maryland 20857

Center for Substance Abuse Prevention, Office of the Director, Room 9D-10, Rockwall II Building 5600 Fishers Lane, Rockville, Maryland 20857

Center for Substance Abuse Treatment, Office of the Director, Room 10-75 Rockwall II Building, 5600 Fishers Lane, Rockville, Maryland 20857

Center for Mental Health Services,
Office of the Director, Room 15-105
NOTIFICATION PROCEDURE:

To determine if a record exists, write to the appropriate System manager at the address above. Provide individual's name; current address; date of birth; date, place and nature of participation in specific evaluation study; name of individual or organization administering the study (if known); name or description of the study (if known); address at the time of participation; and a notarized statement by two witnesses attesting to the individual's identify.

RECORD ACCESS PROCEDURE:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of or access to a child's or incompetent person's medical record shall designate a family physician or other health professional (other than family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

CONTESTING RECORD PROCEDURE:

Contact the appropriate official at the address specified under System Managers(s) above and reasonably identify the record, specify the information being contested and state corrective action sought, with

Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857 supporting information to show how the record is inaccurate incomplete untimely, or irrelevant.

RECORD SOURCE CATEGORIES:

The system contains information obtained directly from the subject individual by interview (face-to-face or telephone), by written questionnaire, or by other tests, recording devices or observations consistent with legislation and regulation regarding informed consent and protection of human subjects. Information is also obtained from other sources such as health, mental health, alcohol, and/or drug abuse care providers; relatives; guardians; and clinical medical research records.

SYSTEM NOTICE 09-30-0049**09-30-0049****SYSTEM NAME:**

Consultant Records Maintained By SAMHSA Contractors, HHS/SAMHSA/OA.

Minor alterations have been made to this system of records notice. The following categories should be revised in their entirety:

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

2. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

3. SAMHSA proposes to contract Names, addresses, Social security numbers, qualifications, curricula vitae, travel records, and payment

with private firms for the purposes of handling logistics for conferences, reviews, development of training materials, and of obtaining the services of consultants. Relevant records will be disclosed to such a contractor or may be developed by the contractor for use in the project. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

4. Information in this system of records is used routinely to prepare W-2 and 1099 Forms to submit to the Internal Revenue Service and applicable State and local governments those items to be included as income to an individual.

SAFEGUARDS:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location. Each site implements personnel, physical and procedural safeguards such as the following:

1. Authorized Users: Only SAMHSA personnel working on these projects and personnel employed by SAMHSA contractors to work on these projects are authorized users as designated by the system managers.

2. Physical safeguards: Records are stored in locked rooms, locked file cabinets, and/or secured computer facilities.

3. Procedural safeguards: Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act requirements are specifically included in contracts and in agreements with grantees or collaborators participating in research activities supported by this system. HHS project directors, contract officers, and project officers oversee compliance with these requirements.

4. Implementation guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual, and Part 6, "Automated Information Systems records for consultants.

AUTHORITY FOR

Security" in the HHS Information Resources Management Manual.

Readers who notice any errors or omissions in the SAMHSA systems of records notices are invited to bring them to my attention at the following address: Substance Abuse and Mental Health Services Administration, 5600 Fishers Lane, Room 12-105, Rockville, Maryland 20857.

Dated: October 13, 1994

Richard Kopanda,
Acting Executive Officer, Substance Abuse and Mental Health Services Administration.

[FR Doc. 94-27615 Filed 12-27-94; 8:45 am]

System Notice No. 09-30-0049 as printed in the Federal Register, Vol. 58, No. 248, Wednesday, December 29 1993, Beginning on 69002.

09-30-0049

System Name:

Consultant Records Maintained by SAMHSA Contractors, HHS/SAMHSA/OA

SECURITY CLASSIFICATION:

None

SYSTEM LOCATION:

Records are located at various contractor sites. A list of specific contractor sites is available from the appropriate system manager.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Consultants who participate in Substance Abuse and Mental Health Services Administration (SAMHSA) conferences, meeting, evaluation projects, or technical assistance at site locations arranged by contractors.

CATEGORIES OF RECORDS IN THE SYSTEM: MAINTENANCE OF THE SYSTEM:

SAMHSA; Public Health Service

Act, sections 301 (42 U.S.C 241), 332 (U.S.C. 249(c)), and 501-05 (42 U.S.C. 290aa et seq.). CSAT: Center for substance Abuse Treatment, section 507-12 (42 U.S.C. 290bb et eg.). CSAP: Center for Substance Abuse Prevention Section 515-8 (42 U.S.C. 290aa-5 et seq). CMHS: Center for Mental Health Services, sections 506 (42 U.S.C 290aa-5) and 520-35 (42 U.S.C. 290bb-31 et seq.). Protection and Advocacy for Individuals with Mental Illness Act of 1986 as amended (42 U.S.C. 10801 et seq.); Refugee Education Assistance Act of 1980 section 501(c) (8 U.S.C. 1522 note), Pub L. 96-442; Executive Order 12341; and Disaster Relief Act of 1974, section 413, Pub L. 93-288, as amended by section 416 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub L. 100-107.

PURPOSE(s):

This umbrella system of records covers a varying number of separate sets of records used in different projects. These records are established by contractors to organize programs, obtain and pay consultants, and to provide necessary reports programs for SAMHSA. SAMHSA personnel may use records when a technical assistance consultant is needed for a specialized area of research, review, advice, etc.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her individual capacity where the **SYSTEM MANAGER(s) AND ADDRESS:**

The policy coordinating official for

Department of Justice (or HHS where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

2. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

3. SAMHSA proposes to contract with private firms for the purposes of handling logistics for conferences reviews, development of training materials and of obtaining the services of consultants. Relevant records will be disclosed to such a contractor or may be developed by the contractor for use in the project. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

4. Information in this system of records is used routinely to prepare W-2 and 1099 Forms to submit to the Internal Revenue Service and applicable State and local governments those items to be included as income to and individual.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records may be stored in file folders, on index cards, computer tapes and this system of records is also the System Manager. SAMHSA Contracts Officer, Substance Abuse and Mental Health Services

disks, microfiche, microfilm.

RETRIEVABILITY:

Information will be retrieved by name.

SAFEGUARDS:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized users: Only SAMHSA personnel working on these projects and personnel employed by SAMHSA contractors to work on this projects are authorized users as designated by the system managers.

2. Physical safeguards: Records are stored in locked rooms, locked file cabinets; and/or secured computer facilities.

3. Procedural safeguards: Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act requirements are specifically included in contracts and in agreements with grantees or collaborators participating in research activities supported by this system. HHS project directors, contract officers, and project officers oversee compliance with these requirements.

4. Implementation guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual, and Part 6, "ADP System Security" in the HHS Information Resource Management Manual.

RETENTION AND DISPOSAL:

Records will be destroyed 3 years after they are no longer used or if payment is involved, 3 years after closeout of the contract.

Administration, Office of the Administrator, Office of Management, Planning, and Communications, Room 13C-20,

Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

NOTIFICATION PROCEDURE:

To determine if a record exists, write to the appropriate System Manager at the address above. Provide notarized signature as proof of identity. The request should include as much of the following information as possible: **(a)** Full name; **(b)** title of project individual participated in; **(c)** SAMHSA project officer, and **(d)** approximate date(s) of participation.

RECORD ACCESS PROCEDURES:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Individuals may also request an accounting of disclosures of their

records, if any.

CONTESTING RECORD PROCEDURES:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

RECORD SOURCE CATEGORIES:

Information gathered from individual consultants and from assignment or travel documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Readers who notice any errors or omissions in the SAMHSA systems of records notices are invited to bring them to my attention at the following address:

Substance Abuse and Mental Health Services Administration, 5600 fishers Lane Room 12-105, Rockville, Maryland 20857

-Dated: December 17, 1993

Richard Kopanda,
Acting Executive Officer, Substance Abuse and Mental Health Services Administration

(FR DOC 93-31242 Filed 12-28-93; 8:45 am)