

September 1, 2006

SUBJECT: Client Confidentiality and Group Interviews

TO: All Regional Directors  
Food Stamp Program

Protecting the confidentiality of food stamp applicants and participants has been an important component of the Food Stamp Program (FSP) since its inception. While the Food and Nutrition Service (FNS) has been aware for some time that a number of State agencies have been making use of group interviews in order to simplify office operations, recently Regional Offices also have asked for guidance on various ways that group interviews might be conducted in their States. Some States believe that group interviews are an efficient use of scarce staff and are easier to organize and execute than an individual appointment system. In view of the recent security lapses surrounding confidential government files, it is especially appropriate for FNS to revisit the policy surrounding group interviews and to underscore the necessity of safeguarding information relating to our customers.

Some Regions report that State agencies might attempt to protect the privacy of clients during group interviews by prohibiting clients from sharing personal information with the worker verbally. In this model, a worker addresses a group of clients who are given instruction on how to complete an application and addresses client rights and responsibilities. The worker will not clarify information specific to any client's case in order to avoid the client divulging personal information in a public setting. In another model, workers will circulate throughout the room after a group orientation to conduct face-to-face interviews. States insist that the workers talk quietly.

The food stamp regulations at 7 CFR 273.2(e)(1) state: "the State agency must protect the applicant's right to privacy during the interview. Facilities must be adequate to preserve the privacy and confidentiality of the interview." Group interviews clearly violate this regulation, as clients in a group interview are obligated to discuss their personal information in a public setting. This may not only prove humiliating for clients, it also places them at risk that others may see or hear sensitive information that could be misused. Talking quietly with a client in a public setting does not ensure their right to privacy if the content of the conversation can still be overheard by others nearby.

Concerning those State agencies conducting group interviews where no information exchange is permitted, an interview is defined in 7 CFR 273.2(e)(1) as such: "The interviewer must not simply review the information that appears on the application, but must explore and resolve with the household unclear and incomplete information." One-way communication between a worker and a client clearly is not an interview, but application assistance. It is allowable for State agencies to conduct group application assistance, as long as the client is afforded a genuine, private interview after that group application assistance.

The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

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Concerning Regions' concerns about facilities that might allow client information to be overheard, 7 CFR 273.2 (e) (1) clearly states that "facilities must be adequate to preserve the privacy and confidentiality of the interview." States must make certain that their facilities allow client information to not be easily overheard or seen by unauthorized persons during interviews.

In summary, although FNS appreciates that State agencies are faced with tight budgets and reduced staffing, group interviews are not allowable and must immediately be replaced with confidential, private, individual household interviews. State agencies that remain concerned about costs associated with conducting private interviews might wish to explore methods of reducing the impact of interviews or missed interviews on their workload, such as requiring face-to-face interviews no more frequently than every 12 months and conducting telephone interviews in the interim, if at all.

Please direct any questions to the contact for your Regional Office in the Certification Policy Branch.

/s/

Arthur T. Foley  
Director  
Program Development Division