

January 14, 2014

**KANSAS INFORMATION NOTICE 2014-01: RECENT LICENSING SUBMITTALS
CONTAINING PERSONALLY IDENTIFIABLE
INFORMATION**

ADDRESSEES

All materials licensees, and other entities subject to regulation by the Kansas Department of Health and Environment for the use of source, byproduct, and special nuclear material.

PURPOSE

The KDHE is issuing this information notice (IN) to remind licensees to refrain from submitting Personally Identifiable Information (PII) in licensing applications and other correspondence when the PII is not necessary to support review of the submitted information. The KDHE expects that all recipients will review the IN for applicability to their facilities and consider actions, as appropriate. However, suggestions contained in this IN are not new requirements; therefore, no specific action or written response is required.

DESCRIPTION OF CIRCUMSTANCES

The KDHE has received documents containing PII that were not marked as sensitive. A few examples are highlighted below.

An industrial radiography licensee submitted a report summarizing the annual exposure to radiation for its employees. The submittal contained the names, social security numbers and exposure history for the previous year of each employee and was not marked as sensitive, and there was no request by the licensee to protect the PII from public disclosure.

A medical licensee submitted a license amendment request to add an authorized user on the license. The submittal contained the personal e-mail address, home address, phone number, medical license number and social security number of the employee, was not marked as sensitive, and there was no request by the licensee to withhold the PII from public disclosure.

A medical licensee submitted a license entirety renewal request. The submittal contained prescription information to document experience of use in accordance with the regulations but also contained patient names for each prescription and there was no request by the licensee to withhold the PII from public disclosure.

DISCUSSION

PII is information that:

- can be used to identify or contact a person uniquely and reliably, or
- can be traced back to a specific individual (e.g., a person's name in conjunction with any of the following information: relatives' names, postal address, home e-mail address, home or cellular telephone number, personal characteristics, social security number, date or place of birth, mother's maiden name, driver's license number, bank account information, credit card information, or any other information that would make the individual's identity easily traceable).

The inadvertent disclosure or release of PII can result in substantial harm, embarrassment, and inconvenience to the individuals involved and may lead to identity theft or other fraudulent use of the information. In addition, the inclusion of unnecessary PII in documents submitted to KDHE is likely to result in some delay in processing these documents in order to redact this information. This could lead to an increase in the amount of time beyond that normally required to process a licensing action or respond to other correspondence. Protecting PII is a shared responsibility. Therefore, the information provided in this IN should receive the widest possible distribution in order to promote awareness of privacy and security responsibilities and assist in the efficient processing of documents submitted to KDHE.

Licensees and applicants are reminded not to submit any documents to the KDHE that contain PII unless the PII is necessary to process the documents. If submitted, in order to prevent inadvertent disclosure, PII must be properly marked as sensitive and the submitter should also request the PII be withheld from public disclosure. All licensing submittals and correspondence are available to the public as open records unless the submitter marks the document as sensitive and follows the requirements of the Kansas Open Records Act K.S.A. 45-215 et.seq..

This IN requires no specific action or written response. If you have any questions about the information in this notice, please contact the KDHE at 785-296-1560.