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POLICY

Our clients are the active and retired members of the Pension System and their beneficiaries. On their behalf and during our business, we also provide services and information to other City departments, Fire and Police Associations/Unions and non-City agencies. In providing these services, we are responsible for safeguarding member personal information, which includes, but is not limited to, social security numbers, birth dates, physical addresses, email addresses, and telephone numbers. Such information may not be released to the general public. It is the policy of the Department to protect and promote a secure exchange of member personal information under the guidelines detailed in this policy. Further, it is the responsibility of each LAFPP employee to ensure the legitimacy of the request for which member personal information is being released.

PROCEDURE

- A. If members telephonically request their own pension information or MyLAFPP pin code, staff must authenticate the following, prior to releasing pension information: 1) last four digits of the member's social security number and 2) two of the following: address, telephone number, date of birth or date of hire in the payroll system. If the request is made in-person, staff must verify the member's picture identification. If picture identification is unavailable, staff must verify the member's full social security number and date of birth. Staff's response to the request should be timely, accurate and in a written or verbal manner. Staff should use their judgement and consider reminding members, when applicable, that the information that they seek is available through MyLAFPP.
1. If the member requests a written response in-person, it shall be provided at the time of the office visit. If the member requests a written response to be sent to them, it will be mailed only to the member's current address on file or emailed (via secure email method, such as Hightail) to the member's email address on file.
 2. If a member needs pension information to be sent to a third party such as a private lawyer, financial institution, or tax agent, the information will be sent to the member and the member may forward such information as necessary. Exceptions to this policy may only be made through the member's completion of a Department-approved "Authorization to Release" form (i.e., forms received by Active Member Services which allow the section to release contribution and interest information to mortgage companies, forms received by Retirement Services which allow the section to release pension benefit information to mortgage companies, DROP authorization forms, Disability medical releases, and HIPAA authorization forms).
 3. Unless a member requests specific confidential information via e-mail/fax and requests that the Department reply in the same manner, responses should be limited to general

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statements or sample scenarios. Confidential information must never be sent via unsecure email methods.

- B. Current and former spouses/state-registered domestic partners are entitled to information related to their community property interest in a member's pension benefits upon receipt of a written request to staff that contains the following information to verify his or her status and identity: 1) name of member, and 2) all of the following information from the requestor – name, address, social security number, contact number and signature. If the current and former spouse/state-registered domestic partner is not already in the Department's database, then a copy of the marriage certificate or state registration of domestic partnership is required prior to releasing information related to the member's pension benefits.

If a request is received from an attorney representing either the member or the member's current or former spouse/state-registered domestic partner, staff may release information concerning the community property interest in the member's benefits upon receipt of a formal request written on the attorney's letterhead that provides sufficient information to clearly identify the attorney's client and the parties involved.

Otherwise, staff shall be authorized to release information regarding a member's pension to other parties only after obtaining the member's written permission to do so.


If a member does not give permission to release pension information to a dependent related to vested inheritance interests, staff shall forward the request to the City Attorney for advice.

If there are any questions regarding the adequacy of the request or the scope of information requested, staff may consult the City Attorney's Office for advice.

Staff shall respond to written requests for information in writing, mailed to the member's address on file. Staff may additionally send copies, per the member's request, via fax or secure electronic transmission (e.g., regular email with all confidential information redacted or HighTail).

- C. Individuals often request member information for personal use or to mail announcements. Additionally, organizations occasionally request member information for potential employment opportunities (e.g., entertainment production companies wanting to contact specific members for employment as technical advisors). In such cases, staff should advise the requestor that member information cannot be released to unauthorized individuals or organizations, but the requested information can be sent to the member provided that the following requirements are fulfilled:

1. A written request (on company letterhead if possible) must be submitted along with the mailing materials;

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2. The Section Manager will determine if the contents of the mailing materials are appropriate; and
3. The Department will forward the materials in its own return addressed envelope.


The individuals and/or organizations requesting member information as provided in this provision shall be informed in advance that the mailing materials will be reviewed by staff as to its appropriateness for mailing in LAFPP envelopes. Individuals and/or organizations requesting mailings to more than one hundred members, require the approval of the Assistant General Manager, Pensions Division.

- D. When information is sent within LAFPP or outside of LAFPP, care must be taken to ensure that member personal information is redacted or, if redaction is not feasible, adequately protected. Personally identifiable information that cannot be redacted due to operational/business needs, including, but not limited to, social security numbers or home addresses, must be sent via secure methods. Secure methods are defined as messenger service or a Systems Section approved secured file transfer service such as Hightail.com. Transmitting files, either with or without password protection, that contain personally identifiable information through e-mail (including Outlook) is not an approved secure method. Files sent via Hightail.com should require a password to open whenever feasible.

Management encourages staff to reduce the amount of member information that is sent via unsecured methods. If the need arises, information containing only the last four digits of social security numbers and other non-personally identifiable member information can be sent via less secure methods such as U.S. Mail, email, or fax.

- E. Each of the following organizations may receive an address list of active and/or retired LAFPP members where those members are also associated with that particular organization. Address lists may also be released to one or all of the following organizations to fulfill any LAFPP business needs (e.g., Associations administering health plans):
1. Los Angeles Police Protective League – Police rank and file only
 2. United Firefighters of Los Angeles City – Firefighters rank and file only
 3. Los Angeles Police Department, Personnel Division – All Police
 4. Los Angeles Fire Department, Personnel Section – All Fire
 5. Harbor Department, Personnel Division – All Harbor
 6. Airport Department, Personnel Division – All Airport
 7. Los Angeles Police Relief Association – All Police
 8. Los Angeles Firemen's Relief Association – All Fire
 9. Los Angeles Retired Fire and Police Association – Fire, Harbor, and Police Retirees
 10. Personnel Department, Employee Benefits Office – All Members
 11. Personnel Department, Workers' Compensation Section – All Members

If staff receives a request for an address listing of retired members from an organization not included in the above list, then staff shall refer the request to the Section Manager who will refer it to the Assistant General Manager, Pensions Division for approval or disapproval.

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- F. Notwithstanding subpoenas or any formal agreement for information exchange, other City departments (e.g., CAO, City Attorney's Office, LAFD, LAPD, Personnel Department, LACERS, etc.) may make requests for member personal information, such as a DROP balance. The Section Manager should refer these requests to the Assistant General Manager, Pensions Division, for verification of the request's appropriateness and, if necessary, for further discussion with the City Attorney's Retirement Benefits Division and/or General Manager.


It is the discretion of the Assistant General Manager, Pensions Division to require that the request be submitted in writing, detailing the requestor's contact information, the member's name and social security number, and the requestor's intended use of the member's information.

Note: The City Attorney's Office contracts with private law firms for various services. Should these law firms need member information, they should be instructed to make the request through the Retirement Benefits Division of the City Attorney's Office.

- G. From time to time, requests may be received from investigating agencies such as the LAPD (Criminal Investigation, Discovery, or Legal Affairs) or the LA District Attorney's Office for retiree contact information in the event the retiree is needed to serve as a witness or facilitate prosecution. These requests must be on official department/agency letterhead. Staff may respond to such requests verbally. Staff is to document on the request letter when and to whom the information was released and store that letter in the Department's document imaging system (DocuShare).

Retiree contact information requests received from other law enforcement agencies (including CA Department of Justice) require a subpoena. Upon receipt of a subpoena for retiree contact information, forward to the City Attorney's Office for approval to release requested information.

- H. Except for processing subpoenas, written requests from LAPD or LA District Attorney's Office, and pension verifications for which responses are stored in DocuShare, it is the responsibility of LAFPP staff to document the release of information when responding to an organization's request. Staff will record in the Notes section of the Department's pension administration system: the name of the requestor, the details of the request, request date, information provided, and the date the information was sent.
- I. Requests for member information under the California Public Records Act (CPRA) should be forwarded to the Assistant General Manager, Pensions Division, for review. Information may be released pursuant to the City Attorney's advice. If the information requested is only for a single member, staff must notify the member via correspondence regarding receipt of the CPRA request, the requestor's name, and that the information was released per the City Attorney's Office.

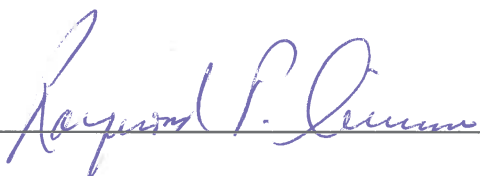
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- J. In accordance with Section 7.2 D of the Board Governance Policy, the President and the General Manager will confer to determine who shall act as the spokesperson for the System should the need arise. The President has the authority to make the final determination. However, the General Manager may exercise discretion to communicate on routine matters without consulting the President (e.g., requests by the media for simple factual information). See also the Administrative Policy on Media and Public Relations (Policy No. 1.070).

Previous versions: 10/28/16, 5/01/09, 6/06/85

ATTACHMENT:

Attachment I – Release of Member Personal Information Policy Consent Form

Approved By: 

Date: 5/7/18

RELEASE OF MEMBER PERSONAL INFORMATION POLICY CONSENT FORM

I have read and reviewed the LAFPP Release of Member Personal Information Policy. By signing this Consent Form, I agree to abide by the LAFPP Release of Member Personal Information Policy including the policy and procedure.

PRINT NAME: _____

SIGNATURE: _____ DATE: _____