

## Chapter ETF 3

## CONFIDENTIALITY OF RECORDS

## ETF 3.01 Individual personal information

**ETF 3.01 Individual personal information.** Individual personal information within the meaning of section 40.03, Wis. Stats., is all information in any individual record of the department, including but not limited to date of birth, earnings, contributions, interest credits, beneficiary designations, creditable service, marital status, etc., but not including information in any statistical or other report or summary in which individual identification is not possible.

(1) Such individual personal information may be disclosed as required for the proper administration of the department, including discussion of any such information in any meeting of any board created under section 15.16 or 15.165, Wis. Stats., and including disclosure in any written record of the proceedings of any such board.

(2) Such individual personal information may be disclosed, except as otherwise prohibited, to the individual whose record contains such information or to his duly authorized representative.

(a) Disclosure to the individual whose record contains such information may be made in person, by telephone, or in writing, upon proper identification of such individual.

(b) Disclosure to the duly authorized representative of an individual may be made in person, by telephone, or in writing, upon proper identification of such authorized representative. Authorization by an individual must be in writing, except that to meet urgent circumstances any bureau director may authorize the disclosure of information without written authorization when he is satisfied that the person to whom the information is to be given is authorized to receive such information.

(c) In case of death, disabling injury or disease, disclosure shall be made only to a proper beneficiary or the duly authorized representative of such beneficiary or to the legal representative of the individual (or his estate) whose record is the subject of inquiry.

(d) Membership in an employe organization does not create a blanket right of the organization staff to receive information from the records of the member.

(3) Disclosure may be made to any public officer or employe for use in the discharge of his official duties. If any request for disclosure of information does not appear to be reasonably related to the official duties of the requestor, the officer or employe shall be advised to put his request in writing and to state the specific need for the information requested.

(4) Disclosure may be made in writing or by personal testimony in response to any court order which establishes that the information requested is relevant to a pending court action.

(5) Notwithstanding any other authority, medical records may be disclosed only pursuant to a court order.

(6) The department will not furnish lists of members, participants, annuitants or beneficiaries to any person or organization whatsoever.

**History:** Cr. Register, May, 1974, No. 221, eff. 6-1-74.