

West Virginia Executive Branch

Procedure: **Redaction**

Issued by: **James L. Pitrolo, Jr.**
West Virginia Health Care Authority

Procedure No: WVEB-P106.1
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Issue Date: 01/20/11

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1.0 PROCEDURE

This procedure provides a basis for appropriate removal of Personally Identifiable Information (PII), including Protected Health Information (PHI), before sharing with a third party; all references to PII include PHI. This procedure applies to printed documents. Redaction may be required when PII is included in documents that are supplied in response to information requests generally, as well as under the WV Freedom of Information Act. Redaction may also be required when responding to requests for information from customers whose records include information legally protected from release, such as the identity of reporters of suspected child abuse and/or neglect.

This procedure defines Redaction and describes the responsibilities of Executive Branch Department personnel in preventing access to PII by those who are not entitled to view that information. Included within this procedure are steps which may be taken to ensure that PII is properly removed, thereby avoiding sanctions, penalties and costs associated with addressing a data breach after the fact.

2.0 SCOPE

This procedure applies to all Departments (including the Governor's Office, Agencies, Boards, and Commissions) within the Executive Branch of the West Virginia State Government, excluding other constitutional officers, the West Virginia Board of Education, the West Virginia Department of Education, County Boards of Education, and the Public Service Commission. However, the Privacy Office recommends that all Agencies, including those excluded above, follow this procedure.

3.0 REQUIREMENTS

3.1 Definitions

3.1.1 Data owner: Entity that can authorize or deny access to certain data, and is responsible for its accuracy, integrity, and timeliness.

3.1.2 Data subject: A living individual to whom PII refers.

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3.1.3 Redaction: Permanent removal of sensitive or legally protected information, or PII from paper or digital documents.

3.1.4 Third Party: Individuals other than the data subject or data owner.

4.0 PROCEDURE

4.1 All employees of the State of West Virginia, including contracted and temporary, are responsible for safeguarding PII, whether in paper or digital format.

4.1.1 Paper: The following method must be used. White-out and other concealers are not acceptable as these products may be "scratched off" to reveal the covered text.

When removing or redacting PII, take the following steps:

- a) Make a photocopy of the document - do not redact the original.
- b) On the photocopy, use a black permanent marker to conceal the PII to be redacted. Be sure that the PII is totally covered with the black ink. Use a broad tipped permanent marker for complete coverage.
- c) Photocopy the redacted document. This procedure ensures that the PII cannot be recovered. If you do not make the 2nd photocopy, it may be possible for PII to be read from the back of the document.
- d) Visually inspect this 2nd photocopy. Assure that you are unable to see any of the PII through either the front or the back of the document.

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- e) The 2nd photocopy must also be reviewed by a coworker, prior to disclosure, to ensure that the PII is no longer detectable.
- f) The redacted document (2nd photocopy) can then be provided to the data requestor/third party.
- g) For documentation, file the 1st photocopy (with the black ink redaction) with the original data request, to show the redaction effort.

4.1.2 Digital: Due to the scope and multiplicity of approaches, this procedure does not address redaction of electronic data.