# PART A, CHAPTER 5:PROTECTION, USE, AND RELEASE OF PERSONAL INFORMATION

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| **Policy Number** | **Authority** | **Scope**  | **Effective Date** |
| Part A, Chapter 5 | 34 CFR [§361.38](https://www.ecfr.gov/current/title-34/section-361.38), Texas Health and Safety Code [§85.115](https://statutes.capitol.texas.gov/Docs/HS/htm/HS.85.htm) and TWC Rule [Chapter 850, Subchapter D](https://texreg.sos.state.tx.us/public/readtac%24ext.ViewTAC?tac_view=5&ti=40&pt=20&ch=850&sch=D&rl=Y) | All TWC-VR staff | 08/01/2025 |

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## POLICY

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### Release of Information to a Customer or Representative

TWC-VR may release information to the customer or a properly designated representative if a valid release is completed. This information must be released in a timely manner. Information that may not be released to the customer or representative in such circumstances includes the following:

* Information that TWC-VR determines may be harmful to the customer (e.g., medical, psychological, other) which must be provided through a third party chosen by the customer or through a court-appointed individual;
* HIV status or test results without explicit, written, and signed authorization (The confidentiality of customer HIV test results is strictly regulated under Texas Health and Safety Code.);
* Personal information that has been obtained from another agency or organization (e.g., SSA, Department of Public Safety) which may be released only by, or under the conditions established by, the other agency or organization. Confidential documents from other agencies may not always be marked indicating their confidential nature so TWC-VR must inspect all documents thoroughly before release;
* A name-based Computerized Criminal History (CCH) record to another organization or individual. This includes the customer or customer’s representative unless there is a request contained in a valid subpoena or other valid court order and the release is approved by the Office of General Counsel (OGC);and
* A fingerprint-based CCH record to a customer’s representative, spouse, other household or family member, or potential employer, even at the customer’s request. **Note:** Such records can be printed and released to the customer (subject of record) upon a signed *Authorization for Release of Confidential Customer Records and Information form (VR1517-2).*

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**REVIEW**

The Policy Planning and Statewide Initiatives Team, or designee, is responsible for reviewing this policy and these procedures and will update the Document History log if necessary.

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| **Date** | **Type** | **Change Description** |
| 09/03/2024 | New | VRSM Policy and Procedure Rewrite |
| 08/01/2025 | Revised | Updated information related to releasing a fingerprint-based CCH record to ensure compliance with DPS and FBI- Criminal Justice Information Services (CJIS) regulations |