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Privacy Impact Assessment Form

v 1.43

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	Question	Answer
1	OPDIV:	SAMHSA
2	PIA Unique Identifier:	P-3946423-404481
2a	Name:	ECCF
3	The subject of this PIA is which of the following?	○ General Support System (GSS) ○ Major Application ○ Minor Application (stand-alone) ○ Minor Application (child) ○ Electronic Information Collection ◉ Unknown
3a	Identify the Enterprise Performance Lifecycle Phase of the system.	Initiation
3b	Is this a FISMA-Reportable system?	○ Yes ◉ No
4	Does the system include a Website or online application available to and for the use of the general public?	○ Yes ◉ No
5	Identify the operator.	◉ Agency ○ Contractor
6	Point of Contact (POC):	POC Title: Director, Division of Workplace Programs POC Name: Ronald R. Flegel POC Organization: SAMHSA/CSAP POC Email: Ron.Flegel@SAMHSA.HHS.gov POC Phone: 240.276.2611
7	Is this a new or existing system?	◉ New ○ Existing
8	Does the system have Security Authorization (SA)?	○ Yes ◉ No
8b	Planned Date of Security Authorization	1/1/0001 12:00:00 AM ☒ Not Applicable
		The Federal Workplace Drug Testing Programs were established by Executive Order 12564 on September 15, 1986 and legislatively mandated in Section 503 of Public Law 100-71 dated July 11, 1987 . As a result of the Executive Order and Public Law, the Department of Health and Human Services (HHS) initially published the Mandatory Guidelines for Federal

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12	Describe the type of information the system will collect, maintain (store), or share. (Subsequent questions will identify if this information is PII and ask about the specific data elements.)	The paper Federal CCF is a five-copy, carbonless form used to identify a specimen and to document its handling at the collection site. The 5 copies are as follows: Copy 1 Test Facility Copy Copy 2 Medical Review Officer Copy Copy 3 Collector Copy Copy 4 Employer Copy Copy 5 Donor Copy The reverse side of Copy 5 gives instructions on completing the Federal CCF. There is also a privacy act statement for federal employees on the reverse side of Copy 5 that explains the donor's rights relative to the release of information found on the form. The electronic Federal CCF has the same format as the OMB-approved form. Because Copies 2-5 are identical, the electronic CCF consists of Copy 1 (Test Facility Copy) and Copy 2 (which is distributed to the MRO, collector, employer, and donor). The electronic Federal CCF is the functional equivalent of a paper Federal CCF with respect to integrity, accuracy, and accessibility. All of the information on the Federal CCF is necessary to ensure that the specimen can be forensically proven to be collected from a specific donor, yet the privacy of the donor's identity is maintained (i.e., the laboratory is not given the donor's name). The NLCP Urine Laboratory Application Form and NLCP Laboratory Information Checklist Sections B and C are kept secure and private at the NLCP contractor facility. All the records maintained at the certified laboratories are kept secure and private in accordance with the Mandatory Guidelines for Federal Workplace Drug Testing Programs.
13	Provide an overview of the system and describe the information it will collect, maintain (store), or share, either permanently or temporarily.	A separate Federal CCF is used for each urine specimen that is collected. A urine specimen may be collected for one of the following reasons: pre-employment, random, reasonable suspicion/cause, post-accident, return to duty, or follow-up. Each federal agency and employer regulated by DOT establishes the frequency at which employees are randomly selected for drug testing, while the frequency for testing for the other reasons depends on the circumstances. The deterrence effect of a workplace drug testing program is related to the frequency that employees are tested.
14	Does the system collect, maintain, use or share **PII**?	(•) Yes ( ) No

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15	Indicate the type of PII that the system will collect or maintain.	☒ Social Security Number ☒ Name ☐ Driver's License Number ☐ Mother's Maiden Name ☐ E-Mail Address ☒ Phone Numbers ☐ Medical Notes ☐ Certificates ☐ Education Records ☐ Military Status ☐ Foreign Activities ☐ Taxpayer ID ☐ Date of Birth ☐ Photographic Identifiers ☐ Biometric Identifiers ☐ Vehicle Identifiers ☐ Mailing Address ☐ Medical Records Number ☐ Financial Account Info ☐ Legal Documents ☐ Device Identifiers ☒ Employment Status ☐ Passport Number
16	Indicate the categories of individuals about whom PII is collected, maintained or shared.	☒ Employees ☐ Public Citizens ☐ Business Partners/Contacts (Federal, state, local agencies) ☐ Vendors/Suppliers/Contractors ☐ Patients Other: job applicants
17	How many individuals' PII is in the system?	1,000,000 or more
18	For what primary purpose is the PII used?	to link the biological specimen and drug test results to the donor
19	Describe the secondary uses for which the PII will be used (e.g. testing, training or research)	none
20	Describe the function of the SSN.	donor identifier to link the biological specimen and drug test results to the donor
20a	Cite the **legal authority** to use the SSN.	The information on the Federal CCF is collected under the authority in Executive Order 12564, 5 U.S.C. 3301 (2), 5 U.S.C. 7301, and Section 503 of Public Law 100-71, 5 U.S.C. 7301 note. Test results may only be disclosed to an MRO, the federal agency administrator of the Employee Assistance Program, and a supervisor with authority to take adverse personnel action. The information on each copy of the Federal CCF was developed to protect the identity of the individual being tested. Other federal agencies (DOT, NRC) require use of the Federal CCF in workplace programs under their regulations (DOT 49 Part 40 under authority of the Omnibus Transportation Act; NRC 10 CFR Part 26.31 under authority of the Atomic Energy Act of 1954, as amended the Energy Reorganization Act of 1974, as amended, and 5 U.S.C 553.)

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21	Identify **legal authorities** governing information use and disclosure specific to the system and program.	The information on the Federal CCF is collected under the authority in Executive Order 12564, 5 U.S.C. 3301 (2), 5 U.S.C. 7301, and Section 503 of Public Law 100-71, 5 U.S.C. 7301 note. Test results may only be disclosed to an MRO, the federal agency administrator of the Employee Assistance Program, and a supervisor with authority to take adverse personnel action. The information on each copy of the Federal CCF was developed to protect the identity of the individual being tested. Other federal agencies (DOT, NRC) require use of the Federal CCF in workplace programs under their regulations (DOT 49 Part 40 under authority of the Omnibus Transportation Act; NRC 10 CFR Part 26.31 under authority of the Atomic Energy Act of 1954, as amended the Energy Reorganization Act of 1974, as amended, and 5 U.S.C 553.)
22	Are records on the system retrieved by one or more PII data elements?	○ Yes ◉ No
22a	Identify the number and title of the Privacy Act System of Records Notice (SORN) that is being used to cover the system or identify if a SORN is being developed.	Published: Published: Published: ☐ In Progress
23	Identify the sources of PII in the system.	Directly from an individual about whom the information pertains ☒ In-Person ☐ Hard Copy: Mail/Fax ☐ Email ☐ Online ☐ Other Government Sources ☐ Within the OPDIV ☐ Other HHS OPDIV ☐ State/Local/Tribal ☐ Foreign ☒ Other Federal Entities ☐ Other Non-Government Sources ☐ Members of the Public ☐ Commercial Data Broker ☐ Public Media/Internet ☐ Private Sector ☒ Other
23a	Identify the OMB information collection approval number and expiration date.	OMB No. 0930-015, expires August 31, 2013
24	Is the PII shared with other organizations?	◉ Yes ○ No

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24a	Identify with whom the PII is shared or disclosed and for what purpose.	☐ Within HHS ☒ Other Federal Agency/Agencies specimen collector, HHS-certified drug testing laboratory, federal agency employer and Medical Rview Officer: to link the biological specimen and drug test results to the donor ☐ State or Local Agency/Agencies ☒ Private Sector specimen collector, HHS-certified drug testing laboratory, federally regulated employer and Medical Review Officer: to link the biological specimen and drug test results to the donor
24b	Describe any agreements in place that authorizes the information sharing or disclosure (e.g. Computer Matching Agreement, Memorandum of Understanding (MOU), or Information Sharing Agreement (ISA)).	The PII on the Federal CCF is shared in accordance with the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs and other federal agency regulations (e.g., DOT 49 CFR Part 40, NRC 10 CFR Part 26)
24c	Describe the procedures for accounting for disclosures	Please see answer to question #12
25	Describe the process in place to notify individuals that their personal information will be collected. If no prior notice is given, explain the reason.	Privacy Act Statement (For Federal Employees Only) is provided at the time of specimen collection. Employers inform their employees of drug testing requirements.
26	Is the submission of PII by individuals voluntary or mandatory?	◉ Voluntary ○ Mandatory
27	Describe the method for individuals to opt-out of the collection or use of their PII. If there is no option to object to the information collection, provide a reason.	Individuals may object
28	Describe the process to notify and obtain consent from the individuals whose PII is in the system when major changes occur to the system (e.g., disclosure and/or data uses have changed since the notice at the time of original collection). Alternatively, describe why they cannot be notified or have their consent obtained.	Only the specimen collectors and/or employee representative have access to this form for custody and control purposes. Consent is obtained at the time of acceptance of federal employment by the federal employee.
	Question 28 Comments	Please provide a description of the process (if one exists) for notifying and obtaining consent from individuals whose PII is in the system when a major change occurs. A Federal Register Notice does not constitute a process for obtaining consent. If a process does not exist, please describe why the individuals cannot be notified or their consent obtained.
29	Describe the process in place to resolve an individual's concerns when they believe their PII has been inappropriately obtained, used, or disclosed, or that the PII is inaccurate. If no process exists, explain why not.	the Medical Review Officer verifies the accuracy of PII during the review/verification process. Individuals may report other concerns to their employer .

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30	Describe the process in place for periodic reviews of PII contained in the system to ensure the data's integrity, availability, accuracy and relevancy. If no processes are in place, explain why not.	HHS conducts periodic audits of HHS-certified drug testing laboratories to ensure data integrity, etc.	
31	Identify who will have access to the PII in the system and the reason why they require access.	☒ Users	Collectors, laboratory staff, MROs and MRO staff, employers, third party administrators to facilitate federal drug testing custody and control.
		☐ Administrators	
		☐ Developers	
		☐ Contractors	
		☒ Others	Managers of computer systems utilized by drug testing service providers for IT administration.
	Question 31 Comments	Please provide the reason why the individuals above require access to the system.	
32	Describe the procedures in place to determine which system users (administrators, developers, contractors, etc.) may access PII.	Collection organizations, laboratories, MROs, and employers limit access to PII to staff requiring access based on job duties with federally regulated drug testing programs.	
33	Describe the methods in place to allow those with access to PII to only access the minimum amount of information necessary to perform their job.	Collection organizations, laboratories, MROs, and employers use an appropriate user identification and authentication system for network operating systems, LIMS, and/or database systems with PII.	
34	Identify training and awareness provided to personnel (system owners, managers, operators, contractors and/or program managers) using the system to make them aware of their responsibilities for protecting the information being collected and maintained.	The HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs specifies training required for collectors, laboratory personnel, and MROs. Collector training must be documented and provided to federal agencies upon request, laboratory personnel training records are reviewed during onsite inspections, SAMHSA approves MRO training/ certification organizations.	
35	Describe training system users receive (above and beyond general security and privacy awareness training).	The HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs specifies training required for collectors, laboratory personnel, and MROs. Collector training must be documented and provided to federal agencies upon request, laboratory personnel training records are reviewed during onsite inspections, SAMHSA approves MRO training/ certification organizations.	
36	Do contracts include Federal Acquisition Regulation and other appropriate clauses ensuring adherence to privacy provisions and practices?	◉ Yes ○ No	
37	Describe the process and guidelines in place with regard to the retention and destruction of PII. Cite specific records retention schedules.	The HHS Mandatory Guidelines require collectors, laboratories, and MROs to maintain drug testing specimen records for two years. Laboratories must retain records of a specimen undergoing legal challenge for a longer period when specified in a written request from a federal agency.	

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38	Describe, briefly but with specificity, how the PII will be secured in the system using administrative, technical, and physical controls.	Authority checks are used to ensure that only authorized individuals can use the system, electronically sign a record, access the operation or computer system input or output device, alter a record, or perform operations.

REVIEWER QUESTIONS: The following section contains Reviewer Questions which are not to be filled out unless the user is an OPDIV Senior Officer for Privacy.

	Reviewer Questions	Answer
1	Are the questions on the PIA answered correctly, accurately, and completely?	(•) Yes ( ) No
Reviewer Notes		
2	Does the PIA appropriately communicate the purpose of PII in the system and is the purpose justified by appropriate legal authorities?	(•) Yes ( ) No
Reviewer Notes		
3	Do system owners demonstrate appropriate understanding of the impact of the PII in the system and provide sufficient oversight to employees and contractors?	(•) Yes ( ) No
Reviewer Notes		
4	Does the PIA appropriately describe the PII quality and integrity of the data?	(•) Yes ( ) No
Reviewer Notes		
5	Is this a candidate for PII minimization?	( ) Yes (•) No
Reviewer Notes		
6	Does the PIA accurately identify data retention procedures and records retention schedules?	(•) Yes ( ) No
Reviewer Notes		
7	Are the individuals whose PII is in the system provided appropriate participation?	(•) Yes ( ) No
Reviewer Notes		
8	Does the PIA raise any concerns about the security of the PII?	( ) Yes (•) No
Reviewer Notes		
9	Is applicability of the Privacy Act captured correctly and is a SORN published or does it need to be?	(•) Yes ( ) No

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	Reviewer Questions	Answer
Reviewer Notes	No SORN necessary since there is no data retention. Form simply used as chain of custody.	
10	Is the PII appropriately limited for use internally and with third parties?	(•) Yes ( ) No
Reviewer Notes		
11	Does the PIA demonstrate compliance with all Web privacy requirements?	( ) Yes (•) No
Reviewer Notes	N/A	
12	Were any changes made to the system because of the completion of this PIA?	( ) Yes (•) No
Reviewer Notes		

General Comments	The purpose of this PIA is to cover automation of the Federal Drug Testing Custody and Control Form (CCF) which is stored on the Department of Transportation's (DOT) system. SAMHSA is merely responsible for automating and maintaining the to ensure proper chain of custody in accordance with federal regulations. The form is being converted from paper to PDF and information will not be maintained in a computer system, so there is no SA. This PIA is also required as SAMHSA completes the OMB form approval process.

OPDIV Senior Official for Privacy Signature	Carla S. Burch Digitally signed by Carla S. Burch DN: c=US, o=U.S. Government, ou=HHS, ou=SAMHSA, ou=People, cn=Carla S. Burch, 0.9.2342.19200300.100.1.1=2000939133 Date: 2013.12.11 12:06:07 -05'00'	HHS Senior Agency Official for Privacy	Kristofor T. O'neal -S Digitally signed by Kristofor T. O'neal -S DN: c=US, o=U.S. Government, ou=HHS, ou=OS, ou=People, 0.9.2342.19200300.100.1.1=2000455610, cn=Kristofor T. O'neal -S Date: 2013.12.12 14:58:25 -05'00'