

# **SCDHHS Medicaid – Rights to Access, Correct, and Delete Their Data**

## **Your Right to Access Your Medicaid Information**

As a South Carolina Medicaid member, you have the right to request and receive a copy of the information SCDHHS maintains about you. This includes:

- Your Medicaid application and eligibility information
- Case records and enrollment history
- Claims and service information
- Other records used to determine or manage your Medicaid benefits

SCDHHS will provide this information in the format you request when possible, and within the timeframes required by the **HIPAA Privacy Rule** and **Medicaid program regulations**. In certain situations, SCDHHS may deny access as permitted by law, but you will receive a written explanation and information about your right to appeal.

## **Your Right to Request Corrections to Your Medicaid Information**

If you believe the information SCDHHS has about you is incorrect, incomplete, or outdated, you have the right to request a correction (also called an “amendment”). SCDHHS will:

- Review your request
- Update your information when appropriate
- Notify you in writing if your request cannot be approved

If SCDHHS denies your request, you may submit a written statement explaining your disagreement. This statement will be added to your record and included in future disclosures when appropriate.

## **Your Right to Request Deletion of Certain Information**

Because Medicaid is a federally regulated program, SCDHHS must keep certain information to:

- Determine eligibility
- Administer benefits
- Meet audit and reporting requirements
- Comply with federal and state record retention laws

However, you may request deletion of personal information that is **not** required for these purposes. When deletion is allowed:

- SCDHHS will securely delete or de-identify the information
- You will receive written confirmation

If deletion is not legally permitted, SCDHHS will explain why and may offer alternatives such as restricting how the information is used or shared.

## **How to Submit a Request**

You may submit an access, correction, or deletion request by contacting:

**Office of General Counsel, South Carolina Department of Health and Human Services (SCDHHS), P.O. Box 8206, Columbia, SC 29202-8206.**

Requests may be submitted by mail or electronically at [inforequests@scdhhs.gov](mailto:inforequests@scdhhs.gov). To protect your privacy, SCDHHS may require identity verification before releasing or modifying your information.

## **How SCDHHS Responds**

SCDHHS processes all requests in accordance with:

- The **HIPAA Privacy Rule**
- **42 CFR Part 431** (Medicaid confidentiality requirements)
- South Carolina privacy and records laws
- Federal and state retention schedules

You will receive a written response explaining the outcome of your request and any next steps.

## **Our Commitment to Medicaid Member Privacy**

SCDHHS is committed to ensuring that Medicaid members have meaningful control over their personal information. We protect your data through administrative, technical, and physical safeguards and ensure that your rights are honored throughout the data lifecycle.