

Proposed Regulation 57 - Release of Member Information to Participating Employers

Chapter 57 – Release of Member Information

100 Purpose

The purpose of this regulation is to identify the circumstances under which the System is authorized to disclose to the employer the name, address or contents of an individual member's record without the prior written consent of the individual to whom the record pertains.

101 Authority for disclosure of information

Miss. Code Ann. Section 25-11-119(3) (Supp. 2008) provides that the System shall not disclose the name, address, or contents of any individual member records without the prior written consent of the individual to whom the record pertains, except as authorized by regulations of the board.

102 Conditions for disclosure

Otherwise, exempt information may be disclosed to an employer who is a department, agency, or instrumentality of this state, if the Executive Director determines that the disclosure:

- 1) is necessary or proper for the administration of the department, agency, or instrumentality, or
- 2) is necessary to enable the department, agency, or instrumentality to carry out the duties of the office.

103 Confidentiality requirements for release of information

An employer requesting otherwise exempt information must agree in writing to limit the use of such information strictly for the purpose stated in the request and to protect the confidential information from disclosure, whether directly or indirectly.

104 Information which may be disclosed

The following information may be disclosed pursuant to this regulation:

- 1) list of names and addresses on file for current or former employees of the department, agency, or instrumentality; and
- 2) list of employees currently eligible to retire or eligible to retire within three or less years based on service or age and service where such information is necessary for succession planning purposes; and
- 3) list of employees retired from the agency; and
- 4) demographic information on current or retired employees necessary for an employer to provide health insurance coverage for active or retired employees.