

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
SPECIAL ACCESS TO RECORDS AND)
INFORMATION CONCERNING) Administrative Order
DEPENDENT AND DELINQUENT) No. 2005 - 19
MINORS)
)
)
_____)

Governor Janet Napolitano, on behalf of the State of Arizona, has entered into contract AD040501-A5-2 with EP&P Consulting. The term of that contract is from June 1, 2004 to May 31, 2006. This contract is part of the Governor's Efficiency Review Initiative. EP&P is on a list of qualified contractors available to state agencies to determine if opportunities exist to increase federal reimbursement as a result of past or current expenditure of public funds, as well as identify areas of cost avoidance. EP&P is currently providing services under the Revenue Maximization Project Task Order issued by the Office of the Governor, November 29, 2004. In order to perform its duties under this task order, EP&P has requested information from the Court that is in large part confidential under Rule 123, Rules of the Supreme Court and Rule 19, Rules of Procedure for the Juvenile Court. The Arizona Health Care Cost Containment System (AHCCCS) necessarily will be a recipient of data provided to EP&P.

EP&P and AHCCCS recognize that much of the covered information is protected as confidential by court rule or other state or federal statutes or regulations. In a data sharing agreement with this Court, through its Administrative Offices, EP&P and AHCCCS agree to abide by all of confidentiality requirements. EP&P and AHCCCS shall use the data only to provide information to AHCCCS, and the Court shall destroy the data at the conclusion of the contract, May 31, 2006.

NOW THEREFORE, pursuant to the Supreme Court's administrative supervisory authority (Arizona Constitution Article 6, § 3) and rule-making authority (Arizona Constitution, Art. 6, § 5) over all of the courts of the state,

IT IS ORDERED that the data identified in Exhibit A, be electronically transferred to EP&P Consulting for use in performance of its contract with the Office of the Governor of the State of Arizona.

IT IS FURTHER ORDERED that all confidential information provided under this Administrative Order shall be maintained by EP&P, the Office of the Governor, AHCCCS and any other public entity which receives this information as confidential in strict compliance with all applicable confidentiality requirements including Rule 19, Rules of Procedure Juvenile Court,

Rule 123, Rules of the Supreme Court, and the Administrative Simplification Requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPPA) set forth in Title 45, Parts 160 and 164 of the Code of Federal Regulations (CFR) as applicable. EP&P shall use the data only to provide information to AHCCCS, and the Court shall destroy the data at the conclusion of the contract, May 31, 2006.

Dated this 9th day of March, 2005.

CHARLES E. JONES
Chief Justice