

# Populations Requiring Confidentiality Protections

## When Verification Systems Threaten Safety

### Lisa's Story

Lisa Martinez, 32, fled her husband after eight years of escalating violence. The abuse was invisible from outside their middle-class Indiana home. He never hit her face where bruises would show. The incidents followed his bad sales weeks. In February, he broke her arm, the ulna near the elbow, twisted from behind while the children were at school. She drove herself to urgent care and said she'd fallen down the stairs.

In April, the children saw. He'd come home with a look she recognized, started in on her about credit card bills. Her 9-year-old daughter stepped between them. He shoved the child aside to get to Lisa. That was the line she'd drawn years before. Not the children.

She took the children to her mother's that night, packed one suitcase Friday while he was at work. Documents, birth certificates, the \$2,400 in emergency cash she'd hidden over three years. She drove four hours to a domestic violence shelter in Ohio.

The shelter allowed 90 days. She filed for divorce and protective orders. She found a job within three weeks at a small manufacturing company, applied under her restored maiden name. Thirty-five hours weekly to start. She was rebuilding.

Her Medicaid coverage required work verification 30 days after enrollment. The monthly reporting asked for employer name, address, supervisor name and phone number, hours worked. Each piece of information created a location trail. Her husband knew the manufacturing industry. He knew office management was her skill set. If he learned the specific company name, he could find her within days. He'd demonstrated that obsessive focus before, finding her within four days during a previous escape attempt by calling her professional contacts claiming a family emergency.

The domestic violence exemption existed. Ohio allowed exemption for survivors with documentation: protective order, police report, or domestic violence advocate verification. She had all three. But each document created disclosure risk. The protective order was public record. His attorney already had it. The order included the county where she'd filed in Ohio, narrowing her location. If any state agency database were subject to public records request, her location could be compromised.

She decided to meet work requirements while protecting her location. She reported hours but provided incomplete employer information where forms allowed flexibility. She listed "administrative services" as employer type rather than the company name. She used a P.O. box two towns over. Every submission was calculated risk assessment.

Then Ohio Medicaid sent termination notice. Her verification submissions were incomplete. The missing employer name meant they couldn't verify hours. She had 10 days to provide complete verification or lose coverage. Complete verification meant employer name and address. The precise information she'd been withholding for safety.

She called the helpline. Fifty minutes on hold. The representative explained she could either provide complete employer information or apply for exemption with documentation. Those were the options. There was no mechanism for verifying hours without employer identification.

She provided the employer information. She didn't see another choice. Her children needed coverage. She needed coverage for the ongoing stress symptoms her therapist said might be PTSD, for her daughter's anxiety that had developed since witnessing her father's violence.

Six months later, her husband appeared in the parking lot outside her workplace. Security confronted a man in a blue sedan photographing employees. They got a partial plate matching her husband. He'd violated the protective order. They arrested him four days later. He was released on bail within 24 hours. The court issued an amended order extending distance requirements. Paper protection.

She quit her job the next morning. She couldn't work there knowing he knew where to find her. The shelter helped her relocate again. New city. New apartment. New school for her children. New job search. Two relocations in eight months. Two job losses. Three coverage terminations. Her children had attended three different schools in their first year after fleeing. Her daughter's anxiety had worsened. Her son, quiet and watchful before, had become aggressive at school.

Her Medicaid lapsed during the move. She applied for domestic violence exemption this time, providing the protective order documentation she'd avoided before. The exemption was approved. But the approval letter went to her old P.O. box because she'd been too overwhelmed to update her address. By the time she received the forwarded letter, a new deadline had passed. Coverage terminated again.

The work requirement didn't cause her husband's violence. But the verification system's inability to accommodate confidentiality needs turned a manageable escape into catastrophic cycle. The coverage termination from protecting her location forced disclosure that revealed her location. The system designed to verify work created the trail enabling her stalker to find her.

***Lisa represents 550,000-900,000 expansion adults who need confidentiality protections from verification systems.*** Many can and do work, as Lisa demonstrated. The question is whether verification can accommodate the reality that for some people, verification itself creates danger.

## Demographics and Scope

Confidentiality protection needs affect **3-5% of expansion adults**, approximately 550,000 to 900,000 people across states implementing work requirements.

***Domestic violence survivors represent the largest population***, numbering 400,000 to 600,000 expansion adults. National data shows approximately 1 in 4 women experience severe physical violence from intimate partners. Among low-income women, prevalence runs substantially higher due to correlation between economic stress and intimate partner violence.

***Not all survivors need ongoing confidentiality protections.*** Many have separated from abusers with no continuing threat. But approximately 40-50% who leave abusive relationships experience continued stalking, harassment, or violence from former partners. These are survivors who need confidentiality extending beyond immediate crisis. Verification revealing employment location, residential address, or contact information creates direct safety risk for this population.

**Human trafficking survivors number 50,000 to 80,000 among expansion adults.** This population is notoriously difficult to count because many survivors don't identify as such, fear legal consequences from activities they were forced to perform, or remain under trafficker influence while attempting to access services. Traffickers often monitor survivors after escape, using public records, employment verification, and system interactions to locate victims. Verification requesting employer information creates multiple data points traffickers can exploit.

**Stalking victims requiring location confidentiality number 80,000 to 120,000 among expansion adults.** National research shows 1 in 6 women and 1 in 19 men have experienced stalking causing fear for their safety. Stalking often continues for years, with stalkers using any available information to track victims' movements, employment, social connections, and daily patterns. If a stalker learns their victim's employer, they can surveil the workplace, follow the victim home, or approach during commute. Stalking frequently escalates to violence, particularly when the stalker believes the victim is establishing a new life.

**LGBTQ individuals in hostile environments number 80,000 to 150,000 among expansion adults.** This includes people whose families have disowned or threatened them over sexual orientation or gender identity, people in communities with high anti-LGBTQ violence rates, and people whose employment could be terminated if their identity became known. Work requirements create disclosure risks through multiple mechanisms. Employment verification may reveal workplaces where the person isn't out. Employer contact for verification may prompt questions about personal life. Documentation requirements for name changes related to gender transition may require disclosing LGBTQ identity to state systems.

Witness protection and crime victim confidentiality affects 15,000 to 25,000 expansion adults, including federal and state witness relocation participants and victims of gang violence who testified against perpetrators.

Mixed-status family concerns affect 150,000 to 250,000 expansion adults with undocumented family members who fear system interaction might trigger immigration enforcement. The chilling effect means many eligible people avoid system interactions even when they have legal status.

Women represent approximately 80% of people needing confidentiality protections related to intimate partner violence, stalking, or trafficking. Domestic violence rates are higher among younger women aged 18-34, meaning the expansion adult population has higher prevalence than the overall Medicaid population.

**Many people experience multiple confidentiality concerns simultaneously.** A woman fleeing domestic violence may have undocumented family members. A trafficking survivor may be LGBTQ and fear disclosure in recovery services. A witness protection participant may have experienced domestic violence from the person they're testifying against. Someone with undocumented relatives may also be a domestic violence survivor whose abuser threatens to report family members to immigration authorities as a control mechanism. Intersecting needs compound verification challenges because systems designed to accommodate one concern may not work for someone with multiple concerns.

## Failure Modes: When Verification Threatens Safety

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***The employer information location trail creates the foundational failure.*** Standard verification requires employer name, address, supervisor name, and contact information. For people hiding from abusers, each data point narrows location and creates danger. Employer name combined with geographic area limits possibilities dramatically. Employer address enables surveillance. Supervisor information creates risk through social engineering attacks where abusers posing as family members request schedule information.

The verification system retains information for audit purposes and may be subject to public records requests. Someone searching for a protective order can find it, see the state where coverage is provided, and potentially request work verification records.

***The address and contact information problem compounds employer risks.*** Verification requires stable mailing address and contact information, but people in confidential locations cannot provide actual addresses without compromising safety. Domestic violence shelters typically cannot accept mail in residents' names because protecting shelter location is essential to protecting all residents. Some states operate confidential address programs providing substitute addresses, but these aren't universal and Medicaid systems don't always integrate with confidential address databases. Verification systems may reject P.O. boxes, requiring residential addresses that compromise safety.

***The documentation disclosure dilemma creates impossible choices*** between safety and exemption. Domestic violence exemption requires documentation that itself creates risk. Protective orders are public records available through court databases. Police reports are accessible through records requests. Even advocate attestation creates paper trail connecting the person to shelter organizations, potentially revealing general location.

The documentation may contain dangerous details beyond mere existence. Protective orders include abuse allegations, describing specific incidents and patterns. If this information becomes part of Medicaid records, subject to audit review or legal discovery in custody proceedings, the survivor loses control over who accesses her trauma history. Many survivors willingly share information with counselors in confidential therapeutic settings but not in government databases with uncertain confidentiality protections.

***Some survivors lack documentation entirely.*** They may have fled without seeking protective orders because obtaining one requires appearing at a courthouse in the county where abuse occurred, risking encountering the abuser. They may not have filed police reports because they feared retaliation or police disbelief. Without documentation, no exemption. Without exemption, must verify work. Without verification, no coverage. The documentation requirement that seems reasonable becomes a barrier denying coverage to people most in need.

***The trauma-blind administrative process*** assumes capacity that trauma survivors may not possess. Post-traumatic stress disorder affects memory and concentration. Anxiety makes phone calls overwhelming. Hypervigilance makes focusing on paperwork difficult. Verification deadlines assume linear progress, but trauma survivors lose days to flashbacks or panic attacks. The system treats missed deadlines as noncompliance rather than trauma response.



**Third-party disclosure risk multiplies exposure.** Work requirements involve multiple entities handling sensitive information. Employers receiving verification requests learn employee Medicaid status. Community service organizations verifying volunteer hours may lack data security. Each additional entity increases disclosure risk.

**The mandatory reporting collision** creates situations where seeking exemption triggers interventions survivors didn't choose. Healthcare providers and social service workers are mandatory reporters for child abuse. If abuse allegations involve children witnessing violence, does that trigger mandatory report? Trafficking survivors face similar concerns because healthcare providers seeing evidence of trafficking must report in many jurisdictions. The intersection of confidentiality protections, exemption verification, and mandatory reporting creates situations where seeking exemption might trigger interventions survivors fear will harm them more than help.

## State Policy Choices: Safety or Administrative Convenience

The policy architecture states construct reveals fundamental choices about whether verification should accommodate people whose safety depends on information control.

**The first choice** involves documentation requirements for domestic violence exemption. Should protective order existence alone qualify, or should states require additional documentation proving ongoing concerns? Protective order integration with eligibility systems allows automatic exemption. But protective orders are public records, and integration creates database connections that might be exploited.

**The second choice** involves employer information alternatives. Should states accept redacted verification where survivors can prove hours without revealing employer identity? Redacted paystubs showing hours with employer name removed would verify work without creating location trails. Third-party intermediary verification through domestic violence shelter employment programs or workforce development programs serving trafficking survivors could confirm hours without disclosing underlying employer details. Self-attestation under penalty of perjury provides a last-resort option when other methods aren't feasible. States rejecting alternative verification force impossible choices.

**The third choice** involves sealed records and tiered access. Should states create confidentiality-protected records limiting who can view sensitive information? Someone claiming confidentiality exemption could have employer information sealed, with verification confirming hours without displaying details to workers beyond those specifically authorized.

**The fourth choice** involves provider attestation without details. Should licensed healthcare providers, domestic violence advocates, and trafficking victim service providers be credentialed as attesters who can verify exemptions without detailed documentation? A simple attestation that the provider serves someone requiring exemption due to domestic violence would suffice without abuse history specifics.

**The fifth choice** involves communication accommodations. Should states accept P.O. boxes, shelter addresses, and advocate-facilitated correspondence? Integration with confidential address programs would provide substitute addresses automatically. Phone contact alternatives would accommodate people who change numbers frequently for safety. Digital portal alternatives would recognize that people experiencing housing instability may lack consistent internet access.

*The fundamental tension mirrors patterns across all special populations: administrative systems designed for stable populations assume conditions confidentiality-needing populations violate. Safety requires information control. Verification requires information disclosure. Systems designed for disclosure cannot protect people whose safety depends on control.*

## Stakeholder Roles in Supporting Confidentiality-Needing Populations

**Domestic violence advocates and service providers serve as primary navigators.** Advocates should be credentialed as attesters within Medicaid verification systems, authorized to verify exemptions without requiring survivors to navigate eligibility systems independently. Shelters should integrate Medicaid exemption support into standard safety planning during intake.

Healthcare providers often encounter survivors in clinical care before they access domestic violence services. **Primary care physicians, emergency department staff, and mental health therapists can provide exemption attestation** with brief documentation noting domestic violence with ongoing safety concerns. Provider training on work requirement exemptions would enable clinical staff to support coverage continuity as part of trauma-informed care. The provider burden deserves acknowledgment, but forms requiring only diagnosis and statement that the patient faces ongoing safety concerns can be completed quickly during routine clinical encounters.

Managed care organizations must build **confidentiality-protective infrastructure** into verification systems. Verification portals should include confidentiality protection options allowing redacted verification, provider attestation, or third-party intermediary submission. Care coordinator assignment for confidential members should prioritize coordinators with trauma-informed training. MCOs should establish partnerships with domestic violence organizations creating credentialed intermediaries for streamlined verification. Data security for confidential information requires elevated protections beyond standard HIPAA compliance, including audit trails tracking access to sensitive records.

**Legal aid organizations specializing in domestic violence** provide expertise on sealed records, confidential address programs, and privacy law implications. States should fund legal aid partnerships specifically for work requirement confidentiality issues, enabling survivors to make informed decisions about verification options and protective order implications.

**Court systems hold protective order information that could streamline exemptions.** Data sharing agreements between courts and Medicaid eligibility systems would allow automated identification of members with active protective orders, triggering automatic exemption without documentation submission. This protects confidentiality while reducing administrative burden on survivors.

**The common thread** across stakeholders **is creating pathways** that don't require survivors to choose between coverage and safety. Lisa's cascade, from verification demands to employer disclosure to location compromise to job loss to coverage loss, could have been interrupted at multiple points. An MCO verification system accepting redacted paystubs. A domestic violence advocate credentialed to attest to exemption need. A sealed records protocol protecting employer information. A care coordinator trained in trauma-informed approaches who recognized the safety



concern underlying incomplete submissions. The absence of any stakeholder stepping into that support role left Lisa navigating impossible choices alone.

## Lisa's Situation as Structural Pattern

Lisa Martinez's experience represents structural patterns affecting over half a million expansion adults who need confidentiality protections. Her successful job search within weeks of fleeing. Her strategic information withholding. Her forced disclosure when verification demanded complete employer information. Her husband finding her workplace. Her job loss. Her relocation. Her coverage terminations. All followed predictable trajectories when administrative systems can't accommodate confidentiality needs.

Her husband's violence didn't cause the catastrophe. Administrative rigidity did. A verification requirement that couldn't accept redacted employer information. A system that couldn't recognize that incomplete submissions might reflect safety concerns rather than noncompliance. A verification process that couldn't maintain coverage while accommodating the confidentiality that coverage maintenance itself required.

The human cost exceeds financial accounting. Lisa lost not just coverage and employment but the stability she was building for her children. The predictability of a single school. The routine of consistent housing. The psychological security of knowing their location was protected. The second relocation carried fear the first had not, because it demonstrated her husband could find her, that verification systems would help him find her.

The financial calculus exposes counterproductive policy. Lisa's coverage cost approximately \$8,000 annually. Her emergency department visits during post-stalking anxiety crisis cost \$4,500. Her children's behavioral health services, triggered by trauma from multiple relocations, cost approximately \$12,000. Coverage terminations supposed to encourage work instead generated healthcare costs exceeding what maintained coverage would have cost, while destroying her ability to work by forcing disclosure that compromised her safety.

*The policy question is whether work requirements should apply uniform verification to populations whose defining characteristic is danger from disclosure, or whether requirements should accommodate confidentiality needs through alternative verification, sealed records, provider attestation, and trauma-informed processes.*

The first approach maintains administrative simplicity but produces systematic safety compromise for people whose safety depends on information control. The second approach requires investment in confidentiality-protective systems but maintains both coverage and safety for populations whose exposure to verification risk creates the danger that coverage should help address.

December 2026 implementation will reveal which approach states choose. Lisa's situation, multiplied across hundreds of thousands of confidentiality-needing adults, will demonstrate whether work requirements can coexist with safety or whether administrative demands will systematically exclude people for whom disclosure means danger.



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