

POLICY NUMBER: 3.11**SERVICE APPLICABLE TO:** AllPolicy Topic: **CONFIDENTIALITY**

Purpose: To protect individuals' privacy and confidentiality.

Policy: CFC shall hold all client information, including Protected Health Information (PHI), as confidential and not release or disclose to any party except those to whom the agency has legal written authorization to release.

PROCEDURES:

When CFC receives a request for confidential information about a client, or when the release of confidential information is necessary for the provision of services, prior to releasing such information, CFC shall:

- a. determine if the reason to release information is valid;
- b. obtain informed, written authorization to release the information from the client and/or parent or legal guardian, as appropriate, using the appropriate CFC release form for the situation; and
- c. maintain each authorization of consent in the case record and provides a copy to the client and/or parent or legal guardian.

All CFC employees, board members, interns, volunteers and consultants, as it pertains to their assigned roles, shall:

1. Adhere to approved practices and laws to maintain the reasonable confidentiality and privacy of their relationship with clients, and to safeguard clients; and to safeguard clients from the unauthorized disclosure of Protected Health Information (PHI) given in the professional relationship. "Minimum necessary" will be considered in the sharing of any client information.
2. Inform clients of their right to confidentiality and privacy as part of the intake process, including making available to them a copy of the CFC Notice of Privacy Practices.
3. Comply with mandatory reporting requirements and may release confidential information to law enforcement, Arizona Department of Child Safety (DCS), Adult Protective Services and to persons who may be at risk of physical harm by the client.
4. Obtain prior written and informed consent from the client before video or audio recording a client session. Such recordings must have supervisory approval.
5. Obtain written consent from the person served, or legal guardian, prior to photographing, audio or video recording for public relation purposes.
6. Obtain written consent from the person served, or legal guardian, prior to using identifiable information, photographs or video for public relations purposes.
7. Confirm established procedures governing "release of confidential information" before disclosing any confidential case record information.

8. Be obligated to disclose information when the client requests, but only the information that is specifically requested and only to the individuals or agencies that are specified by the client. No third-party information may be disclosed, unless required by the state contract for the purposes of foster care licensing or adoption certification.
9. Maintain a copy of the Release of Information form in the case record. Unless revoked, the release will expire in (1) year from the date signed.
10. Shall only access client information that pertains to assigned job duties.
11. Refrain from gossip and other non-professional discussion of individuals and records.

Also Refer to: CFC Notice of Privacy Practices – Form #9020

Laws for Mandatory Reporting of Abuse or Neglect (in Counseling Manual)

<http://www.azleg.gov/ars/13/03620.htm>

CFC Release of Information forms

CFC Policy 3.7 – Client Rights

CFC Policy 3.9 – Client Grievances

CFC Policy 3.12 – Duty to Warn/Protect

CFC Policy 4.5 – Subpoenas

CFC Policy 4.4 – Release of Confidential Information

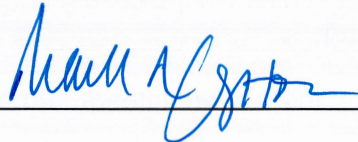
CFC AG-8 – Personnel Records

CFC AG-14 – Handling of Resumes/Job Applications

CFC Policy 3.11 is available in Spanish

COA Cross Reference: RPM 5; RPM 6; CR 2; and ECE 3.05

PROCEDURAL APPROVAL: _____



DATE: _____

11.16.21

Staff Sign-off portion:

Internally

1. No records or lists shall be maintained where they may be seen or read by other people we serve, volunteers, or members of the community.
2. Staff, board members, interns, volunteers and consultants will have access to such records on a need-to-know basis only.
3. "Gossip sessions" and other non-professional discussions of individuals and records by staff are strictly forbidden.

Externally

1. No information about a person requested by anyone outside the agency will be given out over the telephone under any circumstances, unless the client gives permission and signs a release of information form. Staff shall be instructed to respond with the statement: "Board policy does not permit us to give out that information." This includes whether or not a person is or was served by this agency.
2. Release of information forms shall be fully explained and completed in the presence of the person for obtaining or releasing of information about the person on a need-to-know basis only.
3. No information about individuals or records shall be released from this organization to state, federal, or other agencies that will allow the identification of any person by name, address, Social Security number or any coding procedures, unless such disclosure is authorized by the President, mandated by law or court order, or to prevent a clear and immediate danger to a person or persons, or with permission of the client and signed Release of Information form (#6013).
4. If, for any reason, records are to be inspected by any outside authority, the individual(s) inspecting the records must be specifically authorized to do so by the President or by Court Order. The taking of notes, copying of records, or removal of records is specifically prohibited in such cases.
5. Staff shall not discuss any individual's record with unauthorized individuals, formally or informally, whether on or off duty.
6. Records shall be kept safe from loss, destruction, theft, and unauthorized use.

"I have read and agree to abide by this CFC Confidentiality Policy, I understand that violation of any of the above Confidentiality policy and procedure may be grounds for immediate dismissal."

Printed name

Signature Date