



Travis County HHS/VS Procedure Manual

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Procedure Title	Client Confidentiality and Release of Information Procedure
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Submitted by	Travis County HHS&VS Procedures Committee (Corie Cormie, Laura Sovine, Christinia Kuehn, Jane Prince-Maclean, Stacy Landry)
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Responsible Party	HHS&VS Department Staff

Travis County HHS&VS Client Confidentiality and Release of Information Procedure

The Travis County Health and Human Services and Veterans Services Department (HHS&VS) has a duty to protect all vulnerable populations who may apply for and receive services through the Department. Clients participating in social services provide highly personal and protected information to apply for and receive services; may also have mental and physical health challenges, disorders and disabilities; and may be low income; therefore, any and all information pertaining to any client receiving any service via HHS&VS is to be kept confidential at all times. This applies to both the services rendered and the information received about these clients.

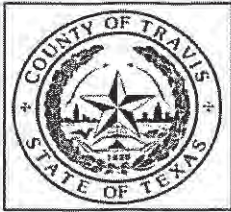
Some HHS&VS programs require a more rigorous protection of client information, and in such instances staff will comply with the strictest procedure. Confidentiality relating to HIV, substance abuse and communicable diseases have stricter regulations. Programs that handle PHI (Protected Health Information) must follow HIPAA (the federal Health Insurance Portability and Accountability Act) compliance law and regulations and Texas State law. Staff should consult with their Division Director for further guidance in this area.

The following are the minimum standards by which employees shall maintain client confidentiality:

Employees shall only discuss client information with other HHS&VS professionals for service planning or consultation purposes, if necessary, and only share information externally in the following cases:

1. A written release of information has been obtained meeting the minimum standards outlined in this procedure;
2. A client is at imminent risk of harming themselves or someone else;
3. When making a mandated report to the Texas Department of Family and Protective Services, in the case of suspected abuse or neglect of a child, a person who is elderly or a person who is disabled;
4. When releasing information about a minor to his/her legal guardian; and
5. A judicial order or subpoena has called for the release of client information.
 - All court orders and subpoenas require direct supervisor and Division Director notification, and guidance must be sought from the Travis County Attorney's Office for next steps. Subpoenas received from internal County departments are followed according to the Travis County procedure for that program.
 - Any release of information is subject to all federal, state and local laws. Improper release of information may expose an employee to civil liability.

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In order to keep client information confidential, HHS&VS staff shall:

- Secure any confidential information in work areas, on desk space and on computers;
- De-identify client information sent by phone, email, fax or text message without a consent to release that information;
- De-identify client information used for reporting or research purposes;
- Keep client information hidden from view in cars or at meetings;
- Not leave client information on printers or in someone's box unattended;
- Include a confidentiality disclaimer in all email signatures;
- Not send confidential information through email unless it is encrypted;
- Maintain a pin protected mobile device; and
- Keep conversations regarding clients in private offices and not in public places such as hallways.

Minimum Standards for Client Release of Information

- Must identify the third party specifically (the person/client who is authorizing the release of information);
- Must identify Travis County HHS&VS as the entity to release the information and should include the division, program and individual employee name when possible;
- When services are being provided to a minor, the legal guardian must consent for the release of information;
- Must identify who the information will be shared with or obtained from. The name of the agency must be specified and include an address and phone number. When possible the individual employee name, program and division/department should be identified;
- Must identify whether it is a one-way or two-way release of information;
- Must include a specific description of the information to be disclosed through narrative or check list format;
- Must identify how the information will be shared (by phone, in person, by mail, by fax, by e-mail);
- Releases that include consent to provide information through email or fax must include a statement that these methods of communication are not secure and that we cannot guarantee security by the other party;
- Must be signed and dated by the client and signed and dated by the legal guardian when applicable;
- Must be no more than one year old and include a date of expiration indicating how long the release is valid if less than a year; and
- Must include a statement of revocation.

CONFIDENTIALITY STATEMENT

I have read and understand the above Confidentiality Policy for the Travis County Health and Human Services and Veterans Services Department. I agree as an employee of the Department, I will not divulge any confidential information. I understand that improper release of information may lead to disciplinary action up to and including termination of employment.

Employee Signature

Date

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