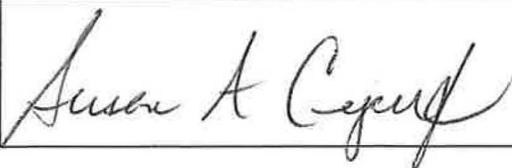




**Division of Prevention and Behavioral Health Services**

Department of Services for Children Youth and Their Families  
State of Delaware

<b>CS 002</b>		<b>Confidentiality</b>	
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## I. PURPOSE

Provision of effective behavioral health services in collaboration with client families and service providers requires the collection of extensive information on clients, service events, providers, costs of services, and progress/outcome indicators.

The purpose of this policy is to establish principles and operational parameters to assure fulfillment of DPBHS responsibility for confidentiality of client information.

## II. SCOPE OF APPLICABILITY

This policy applies to all DPBHS staff.

## III. POLICY STATEMENT

Protecting the confidentiality of client information, be it in oral communication, written format or in electronic databases, is a core value of DPBHS. DPBHS follows the guidelines outlined in DSCYF's Confidentiality Policy (Policy 205) This policy has incorporated the confidentiality requirements of federal and state regulations and is consistent with professional practice and ethical standards. It is the policy of the Division that clinical records requests and information sharing will be in accordance with the Federal Health Insurance Portability and Accountability Act (HIPAA), 42 CFR, Part 2, and 45 CFR, Parts 160 and 164. These various sources emphasize principles which guide DPBHS client information procedures and practices:

Respect for the fundamental privacy rights of clients and their families requires that DPBHS collect only that information necessary for the effective provision of services. Information collected must be complete, accurate, and timely. The security of all client information must be assured through policy, procedures, training, and the actions of all DPBHS staff with access to client information. Clients and families must be provided with information on confidentiality/ security of their information, their access to records, their rights to consent to the release of information, and any limitations on the confidentiality of information. All DPBHS staff directly responsible for release of client information beyond DPBHS/DSCYF services must receive specific training on conditions of information release and requirements for informed consent to release information.

#### **IV. Procedures**

Training, supervision, and consultation are essential for DPBHS' staff, all of whom must fulfill the obligation of maintaining confidentiality of the client information to which they have access. Training will be provided on the Privacy Rule of the Health Insurance Portability and Accountability Act (HIPAA), CFR 42, Part 2, and Departmental policy (DSCYF policy #205, Confidentiality of Client Records), Divisional policy and procedures relevant to each staff member's responsibilities and access to data.

Training and agreement to maintain confidentiality of client information and security of access to the same will be documented for each staff member.

Staff within the division will be designated by the Director as resources on confidentiality issues. Supervision and consultation on issues related to confidentiality, security, and records release is available within teams and units and will be available from the aforementioned staff.