



**Series** 1300: Records Management  
**Policy Name** Confidentiality of Client Information  
**Policy Number** 1302  
**Origination Date** 11/1/2013 **Revision Date:** 7/1/2018  
**Reference:** CFOP 60-17/175-26

**Policy** It is the policy of Communities Connected for Kids to protect the rights and privacy of children and families in gathering and disseminating information and in all promotional activities. Procedures will ensure that Communities Connected for Kids is in compliance with all applicable statutory requirements pertaining to confidentiality.

#### **Procedure**

All information regarding past, present and future clients and/or their relatives is considered to be confidential and is covered by these procedures.

#### **Need-to-know/minimum necessary**

1. Information is shared among staff, agencies, and foster parents only on a need-to-know basis. Under no circumstances will a staff member share information about past, present and future clients outside his/her responsibilities and duties as a staff member working on a specific case. If approached by an individual seeking information outside these parameters, the staff member will decline to offer information and direct the individual to the appropriate agency staff.
2. Staff will practice extreme diligence in sharing information only in staff secure areas. Staff will not discuss clients in common areas of the facility where members of the public may hear such information.
3. Volunteers who work with the agency are also subject to the need-to-know rule. Staff members who oversee the work of volunteers will share minimal information with volunteers about specific clients, sharing information only to the extent that it impacts the scope of the volunteer's work with the client. For example, a volunteer who tutors a child may be told that the child is experiencing difficulty in school performance, but the same volunteer is not to be told personal information about the client, his family, the status of the case, or the problems that brought the family under the supervision of the agency.
4. Staff will continue to caution foster parents to share only need-to-know information with other foster parents.
5. All agency staff, providers, volunteers and caregivers will receive appropriate training on confidentiality and ethical standards.

#### **Access to records**

1. At no time is information regarding clients and/or relatives and/or other relations to be released to any person without prior written consent of the client, or in the event of a minor child, his/her parent or legal guardian, or under subpoena of the judicial system.



2. At no time are there to be public appearances by children involving publicity or fundraising without written consent of the child's parent or legal guardian. All such appearances are strictly voluntary.
3. Photographs will not be taken of children without written consent of the child's parent or legal guardian. (Exceptions are the required photographs for identification purposes.)
4. All client records will be handled in a manner which will protect the nature of the information contained within them.
5. All automated records meet standards for security to ensure all users see only the information appropriate for their needs.
6. All records regarding clients are considered the property of the agency.

#### Special Requirements Related to HIV/AIDS Records

The following procedures apply to HIV/AIDS records and information access:

1. Case narrative will not contain any reference to the child's HIV infection or AIDS.
2. Communities Connected *for Kids* and the placement provider will disclose to adopting or substitute care parents the medical condition, but not the name, of an HIV/AIDS positive child prior to the decision to adopt or accept the child into the substitute care home being made by the parents. Only after the parents have made the commitment to adopt or accept the child into the home will the name of the child be provided.
3. The substitute care parents will be provided with documentation of the complete medical history and condition of a child placed in their care, including HIV/AIDS status. This documentation must be maintained by the substitute care parents and held as confidential information with access strictly limited to the child's physician(s) and other providers of medical and dental care when treatment is required.
4. Medical documentation needed for school enrollment, day care or similar purpose must be provided separately by the physician and may not contain any reference to the child's HIV/AIDS status.
5. The child's case records will not be segregated or flagged in any way which would permit their identification as case records of HIV infected children.

#### Allowable Access

Per Florida Statute, the following persons or entities have access to agency records. All access by these persons or entities will be allowed in collaboration with standard practices of Legal Services:

1. Employees or agents of the lead agency, case management agencies, and the Department of Children and Families protective investigations and licensing units.
2. Employees or agents of the Department of Juvenile Justice who are responsible for provision of service to the child.
3. Criminal justice agencies of appropriate jurisdiction.
4. State's Attorney.
5. Parent or custodian of any child who is alleged to have been abused, neglected or abandoned. All exempt information will be excluded from view.
6. Any person alleged in the report as having caused the abuse, neglect or abandonment.



7. A grand jury, by subpoena, for the conduct of their official business.
8. Appropriate department and agency officials, Human Rights Advocacy Committee, and Guardian ad Litem if related to case-specific activity.
9. Any additional persons or entity authorized by §39.202(2) (i) F.S.

Penalties

A person who knowingly and willfully makes public or discloses to any unauthorized person any confidential information is subject to the penalty provisions of §415.513, F.S. (second degree misdemeanor).

Approved: Carol Deloach

Carol Deloach, CEO

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