

414 Client & Case Record Confidentiality Catholic Charities of the Diocese of La Crosse will follow all regulations set forth by the Wisconsin Department of Children and Families and the Wisconsin Department of Health Services as well as the Department of Health and Human Services in Washington, D.C. that enforce the protection of clients' private personal information.

414.10 Minimum Disclosure. No employee shall knowingly disclose any confidential client information to other staff members without the client's permission unless the disclosure is necessary in treating or serving the client. In this event, the minimum amount of information necessary to treat or serve the client will be shared.

414.20 Client Authorizations. Employees will not discuss confidential client information with persons outside the agency unless the client has specifically consented to the release of the information. Each Program will use the agency Authorization for Release of Information Form (Form 414A) or a similar authorization specific to the program. Consent must be obtained from a parent or legal guardian if the client is a minor or incapable of providing informed consent. All Authorizations for Release of Information must expire within one year; if the Authorization is for a one-time release of information expiration should occur within 90 days. The original Authorization for Release of Information will be filed in the client's case record. The client will be provided with a copy of the Release of Information Form.

414.21 Restriction of Limitation. Clients have the right to request a specific restriction or limitation of the disclosure or use of their protected personal information contained in their case record.

414.22 Disclosures without Authorization. In certain instances, CCDL will release client information without the client's authorization. These instances include the following:

- CCDL *must* disclose protected client information to the Department of Health & Human Services for compliance investigation purposes.
- CCDL *may* disclose protected client information without client authorization if it is allowed under the HIPAA Privacy Rule or required by law relating to:
 - Child abuse
 - Neglect
 - Domestic violence
 - Judicial and administrative proceedings
 - Law enforcement purposes
 - For certain public health activities including disclosures for the purpose of preventing or controlling disease, injury, or disability, and

disclosures related to victims of child abuse or neglect

- For health oversight (audits; civil, administrative, or criminal investigations; licensure or disciplinary actions)
- If about decedents (to a law enforcement official if suspicion that the death resulted in criminal conduct or to coroners or medical examiners for the purpose of identifying the deceased or determining the cause of death)
- For certain research purposes, if all criteria under the HIPAA Privacy Rule are met
- To avert a serious threat to health or safety including a duty to warn pursuant to CCDL policy 822
- For specialized government functions
- For worker's compensation
- For certain marketing activities, such as informing clients of new staff or programs. Client information cannot be disclosed to business associates or to an institutionally related foundation for the purpose of raising funds for its own benefit
- For treatment or payment activities such as case consultation and insurance claims

414.23 Minimum Necessary. When disclosing protected health information, staff must limit the information disclosed to the minimum information necessary to carry out the given purpose or function.

414.24 Receive an Accounting of Disclosures Clients have the right to receive an accounting of all the disclosures provided to others where their authorization was not required. Catholic Charities of the Diocese of La Crosse will keep a record of all disclosures in the case record (Form 414A) for a period of seven years.

414.25 Informed Consent. The caseworker will ensure that the client is well informed of the reasons and/or benefits to consenting to the release of their information. Additionally, precautions will be instituted to ensure that requests for client information are valid and in the best interests of the client.

414.30 Reporting All employees will report any actual or potential breaches of client confidentiality to the Privacy Officer of the organization.

414.40 Client Case Records Client information related to treatment and service is kept in confidential client case records. Staff members are only provided access to the case records and client information required for them to carry out their job duties. Any client case record information stored in electronic form in the computer system will be deleted when it is no longer necessary to serve the client or is not required by law. All client information stored in electronic form will be appropriately safeguarded by the use of computer passwords. All client information stored in paper form will be kept in locked metal file cabinets inside locked rooms. Access to the cabinets will only be granted to staff members who need the client's information.

414.41 Record Retention. All case records will be kept for a minimum of 7 years after case closing unless specific regulations governing a particular program require records to be maintained beyond seven years.

414.42 Record Disposal in Event of Agency Closing. In the event that Catholic Charities of the Diocese of La Crosse is no longer operating, any case records that need to be retained will be transferred to the State of Wisconsin or the Chancery Office of the Diocese of La Crosse.

414.43 Staff Use of Case Records. Access to case records will be limited to only those staff members who require information in the case record to carry out their job duties. When an employee takes a record from their own file cabinet out of the office, takes a record from another employee's file cabinet, or takes a record from the closed records storage, a Record Checkout Form (Form 414E) must be completed. The Record Checkout Form will be filed in the front of the file drawer. This will help any staff member who is looking for the record to know when the record was checked out and by which employee. When records are returned, the Record Checkout Form should be removed and shredded.