

Private Information Authorization/consent

Agency Policy

No information concerning any client, applicant, or family member may be released without a signed authorization from the client, guardian or parent of the child. An exception to this being the legal obligation to release information created through court order or federal and state regulations.

If special or unusual information about an individual client that is, or has been, served by the agency is requested by the courts, public officials or law enforcement bodies the Executive Director may request legal counsel from the agency's attorney.

All information will be released in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Authorization and Consent Process

1) Content of Authorization

- a) A valid authorization will contain the following elements:
 - i) A description of the information to be used or disclosed that identifies the information in a specific and meaningful fashion
 - ii) The specific name or other specific identification of the person(s), or class of persons, authorized to provide the information
 - iii) The name or other specific identification of the person(s), or class of persons, or organization authorized to receive the information
 - iv) A description of the purpose of the use or disclosure
 - v) An expiration date or an expiration event
 - vi) Signature of the client or guardian and date
 - vii) A statement about the individual's right to revoke the authorization in writing and a description of how the individual may revoke the authorization.
- b) The authorization may contain additional elements as long as they do not contradict the required elements.

2) Invalid Authorizations. An authorization is invalid if any of the following apply:

- a) The expiration date has passed or the expiration event has occurred
- b) A required element is not filled out completely
- c) The authorization is known to have been revoked
- d) The authorization conditions the provision of treatment on signing the authorization.
- e) The authorization requires the client or guardian to waive his or her rights under the Privacy Standards as a condition of receiving treatment
- f) The authorization is combined with any other document, except another authorization for use or disclosure of Privacy Information
- g) Any material information in the authorization is known by the Abbott House to be false

3) Additional Requirements

- a) The authorization must be written in plain language

- b) Any authorization for use or disclosure of Privacy Information that is signed by the client or guardian shall be retained in the client's record
 - c) A copy must be given to the client (except where the client furnishes the authorization form)
- 4) Compound and Multi-Party Authorizations
- a) An authorization may be combined with another authorization to create a compound authorization except: a) authorizations for use or disclosure of psychotherapy notes may be combined only with another authorization for psychotherapy notes and; b) if one of the authorizations is conditional and the other is not, they may not be combined.
 - b) An authorization cannot be combined with any other type of document such as a notice of privacy practices.
 - c) A multi-party authorization is permissible if the information to be disclosed and the purpose for the disclosure are the same for all parties. However, if the client or guardian revokes the authorization for one party, the entire multi-party authorization is revoked.
- 5) Effect of Prior Authorization. Private Information that was created or received prior to April 14, 2003, may be used or disclosed based on an authorization that was signed prior to April 14, 2003 as long as the authorization is otherwise valid (e.g., not expired, addresses the disclosure).

Attachment

Authorization Form