

# Catholic Charities Diocese of Palm Beach, Inc.

## Policy and Procedures Manual

No. of Policy 7009

**SUBJECT:** CASE RECORDS (ACCESS)

**POLICY:** Access to case records is limited to persons served, the parent or legal guardian in the case of a minor, authorized organization personnel, legal representatives, or others outside the organization whose request for access to confidential information is permitted.

**PROCEDURES:**

- 1) Only those Catholic Charities staff members with legitimate reason related to the client shall have access to the client record and information in the record.
- 2) A copy of the clinical record will be made available to the client after discharge. A request in writing from the client for copies of his/her record will be honored when accompanied by an authorization or the necessary elements of an authorization and after the Clinical Records Team has reviewed the request.
- 3) In the event of an un-emancipated minor, the parents or legal guardians are required to sign authorization-permitting review of his/her record.
- 4) The Clinical Records Team will review a client's request to review the original record. If the team feels that it would be detrimental for the client to review their record, a written statement as to the reasons why the client should not review their record will be submitted to the Counseling Division Director and/or the Executive Director. Documentation of the team's decision will be entered into the client's record. If the Division Director and/or Executive Director agree with the Records Team's decision, a client advocate may be appointed to review and interpret the record in a non-deleterious manner to the client.
- 5) Clients requesting to review the original clinical record will present one form of identification and sign a statement of request. The client will be supervised during the review of the original record. Should the client request to place a statement in the case record regarding their problem or the services received, a heading in the case notes should read "Individual Entry" and be signed by the person making the entry. The organization provides safeguards so that such a review is carried out in a manner that protects the confidentiality of other family members and other individuals whose contacts may be contained in the record. In allowing access to a client's clinical record, the agency will be released of all responsibility of loss of confidentiality by such access. If the organization should add statements or response to statements, it is done with the knowledge of persons served.

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- 6) The client's and/or legal guardian's authorization for release of records should be obtained prior to releasing any records to another behavioral health care agency, organization and/or hospital. Adolescent clients age 13 and older, should sign any Release of Information Form, after the adolescent is informed of the request, where the record is going, and for what purpose. If the adolescent refuses to give his/her consent to release records, the Clinical Records Team and/or the agency attorney will be consulted to decide if it is in the best interest of the adolescent for the records to be released.
- 7) In certain circumstances, it may be more appropriate to release a summary of the records, which addresses a specific request, as authorized by the client.
- 8) All requests for records will be reviewed by the Clinical Records Team. Copies of requests should be sent by FAX to the Counseling Division Director.
- 9) Access to records is permitted by certain outside organizations, such as funding agencies, concerned with the monitoring and evaluation of the quality of client care. Any person from an outside organization, who has access to files, must sign a Confidentiality Agreement.
- 10) Records of conjoint sessions with couples, married persons, or family members need authorization of all parties before the record can be released to any one party or their legal representative. One of the parties may be given copies of his/her individual sessions, if applicable.

**AUTHORIZED DATE:** 01/11/01

**REVISED DATE:** 04/29/05