[INSERT AGENCY NAME AND LOGO]

**FAMILY PLANNING PROGRAM POLICY AND PROCEDURES**

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| 3 Confidentiality Every project must have safeguards to ensure client confidentiality. Information obtained by project staff about an individual receiving services may not be disclosed without the individual’s documented consent, except as required by law or as may be necessary to provide services to the individual, with appropriate safeguards for confidentiality. Concern with respect to the confidentiality of information may not be used as a rationale for noncompliance with laws requiring notification or reporting of child abuse, child molestation, sexual abuse, rape, incest, intimate partner violence, human trafficking or other similar reporting laws. Information may otherwise be disclosed only in summary, statistical, or other form that does not identify the individual (42 CFR 59.11). | |
| **Policy Title** | **Confidentiality** |
| **Effective Date** |  |
| **Revision Dates** |  |
| **Review Due Date** |  |
| **References** | Health Insurance Portability and Accountability Act (HIPAA)  <https://www.hhs.gov/hipaa/index.html>  Code of Federal Regulations 42 CFR 59.11  <https://www.ecfr.gov/cgi-bin/text-idx?SID=c1cbd72e13f7230f1e8328fa52b57899&mc=true&node=sp42.1.59.a&rgn=div6#se42.1.59_15> |
| **Approved by Signature** |  |
| **Approved Date** |  |

**Purpose:** The purpose of this policy is to describe ***(insert Agency Name)*** process for ensuring grantee and subrecipient compliance with the requirement to establish safeguards for ensuring client confidentiality.

**Policy:** *[Agency may want to include the following]*

* Grantee requires that all service sites and subrecipients safeguard confidentiality.
* All staff will be informed (at least once every three years) about policies related to preserving client confidentiality and privacy.
* Medical records system will have safeguards in place to ensure adequate privacy, security, and appropriate access to personal health information.
* HIPAA privacy forms will be provided to clients and signed forms will be collected (as required).
* General consent forms will be provided in a confidential manner and will note any limitations that may apply.

**Procedure:** *[Agency may want to include the following]*

* Process by which client confidentiality will be safeguarded.
* Grantee includes language regarding confidentiality requirements in subrecipient contracts.
* Process for documenting that staff have been informed about policies related to preserving client confidentiality and privacy (e.g., within staff circulars, new employee orientation documentation, training curricula).
* Process for ensuring clinical protocols and policies have statements related to client confidentiality and privacy.
* Process for safeguarding client medical records to ensure adequate privacy, security, and appropriate access to personal health information.
* Process for ensuring and documenting that HIPAA privacy forms are provided to clients and signed forms are collected (as required).
* Process for ensuring general consent forms or other documentation at service sites state that services will be provided in a confidential manner and note any limitations that may apply.
* How grantee and subrecipients ensure third party billing is processed in a manner that does not breach client confidentiality, particularly in sensitive cases (e.g., adolescents or young adults seeking confidential services, or individuals for whom billing the policy holder could result in interpersonal violence).
* The process for ensuring that client education materials (e.g., posters, videos, flyers) noting the client’s right to confidential services are available to clients.
* The process for assessing the physical layout of the facility to ensure it allows for client services to be provided in a manner that safeguards client confidentiality and privacy.
* Grantee’s process for monitoring subrecipients and service sites to ensure compliance with this requirement.
* How staff will be trained and updated on changes to this policy.
* How staff can access this policy (location of paper/electronic version(s)).