

SCAN, INC.

HUMAN RESOURCE POLICIES – 119

CONFIDENTIALITY STATEMENT

Purpose

The purposes of this policy are:

1. To identify the obligations of SCAN, Inc. regarding the rights of clients to privacy and confidentiality.
2. To serve as a standard of ethical conduct regarding confidentiality and client privacy and as a guide to employee actions to safeguard these client rights.
3. To provide a structure for adjudication of alleged violations of the provisions of this policy.

General Statement of Policy

SCAN, Inc. shall respect the privacy of its clients and shall hold in confidence all information obtained in the course of offering and providing professional service, subject only to the following exceptions:

1. When external mandates have the force of law requiring SCAN, Inc. to reveal information in its possession.
2. When the legal action brought by a client or groups of clients regarding violation of this policy or regarding wrongful acts or omissions by SCAN, Inc. or one of more of its employees necessitates the disclosure of otherwise confidential information in order for SCAN, Inc. to defend itself and/or its employees against such legal action.
3. When the clients consent in writing to the release of information by SCAN, Inc.
4. When in order to interpret its work and account to its governing body, constituency, funding sources, and the general public, SCAN, Inc. can accumulate and reveal information about many clients or illustrative material about individual clients without public identification of any client.
5. When an emergency situation exists involving a serious and imminent threat to the health and safety of the client or when it would be necessary to protect others from the client if s/he poses a serious threat to the safety of others.

***To the extent possible, these situations should be discussed with a member of SCAN management before information is released.***

Within the provisions of the general statement of policy, no information will be released from any client records without the informed written consent of the client. Informed consent is construed to mean that the client knows what information is to be revealed, the reason information is to be sought or shared, and how and for what purpose it will be used. No blanket consents are to be used.

No oral requests or demands for records in connection with legal proceedings will be honored. All such requests must be in writing, and it will be determined the extent to which they will be honored. The advice of legal counsel will be sought in any case in which there is doubt about SCAN, Inc.'s obligation to comply with the request.

Clients have the right of access to their service records from SCAN, Inc. A client may, upon written request presented 24 hours in advance, inspect his/her record(s) in the office of SCAN, Inc. in the presence of a supervisor or management staff person. The client may be accompanied at the examination by any person s/he designated in writing. Further, the client may comment on the accuracy of the record and may, if s/he wishes, insert his/her own statement. Notation shall be entered into the client record regarding any inspection of a record made by a client. Such notification shall include the date of the inspection, the name of the client who inspected the record, the name of any person who accompanied the client to the inspection, and any relevant information pertaining to the inspection, such as the reason for the inspection, if offered.

For the most part the provisions of this policy shall apply to persons under the age of 18 who request help from SCAN, Inc. without the consent or involvement of parents or guardians. However, if in the judgment of the staff member providing such service information needs to be shared with parents or guardians in order to enable them to fulfill parental responsibilities for which they could be held legally accountable, or if withholding information from parents or guardians is deemed to be detrimental to resolution of the problems toward which the services of SCAN, Inc. are directed, such information may be shared with them.

The spirit of this policy statement shall guide the actions of all staff in any and all situations not specifically covered by this policy. The principle to be followed is to provide the maximum possible protection of the client's privacy and confidentiality.

1.0 External Communications: Staff members responsible for telling the "SCAN story" to public groups are to keep the identity of clients and the case information confidential. The sharing of stories needs to have sufficient

modification of identifying factors to protect the client from identification. If a visitor to the facility should recognize any client or otherwise learn the identity of a client, that information is strictly confidential.

- 2.0 Internal Communications: Confidentiality is also expected when discussing individual client situations with other staff members. Staff members should not discuss specific client histories and/or personal information with staff members who do not have direct involvement in the services of the client.
- 3.0 Each employee is asked to sign a confidentiality policy during new employee orientation and to annually re-sign the document to verify continuing understanding of this policy.
- 4.0 Clients or applicants for service who believe there has been a violation of this policy should discuss the alleged violation with the SCAN, Inc. staff member responsible for provision of direct service to the client. If discussion at this level does not resolve the issue, the SCAN, Inc. staff member shall inform the client that s/he may discuss the matter with the staff member's supervisor. If the matter is still not resolved, the client may submit a written request for a meeting to the Human Resource Department, who will forward the complaint to the Executive Director. The facts as known by the staff member, supervisor, and other persons involved shall then be reported in writing to the Executive Director through the Human Resource Department. The Executive Director will then adjudicate the matter and render a written decision based on written materials presented or based on testimony taken in person at the meeting at which all parties involved in the incident and/or its attempted resolution shall be present or represented. At the meeting the client may be accompanied or represented by any person of the client's choice.

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President, Board of Directors

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Date