

# Glenn County Human Resource Agency

## 100 Confidentiality Policy

### 100.1 CONFIDENTIALITY OF CLIENT INFORMATION

All client information received and/or heard at the HRA, is confidential and will not be shared outside the agency. It will also not be shared with personnel within the agency unless they have a right and need to know. Reference 10850 W&I Code.

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#### HANDBOOK LANGUAGE BEGINS

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Agency representatives who are approached outside of business hours regarding assistance will direct the person to come into or call the agency during working hours to request assistance.

Ongoing training and discussions on confidentiality shall be conducted at the unit level as questions arise or when changes occur. When in doubt, agency representatives should always consult their supervisor prior to proceeding.

Individual programs have separate requirements for confidentiality. It is the responsibility of the supervisor to inform and train the agency representative about differences in the specific confidentiality requirements for each program.

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#### HANDBOOK LANGUAGE ENDS

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**Violation of this policy may result in disciplinary action up to and including termination. Furthermore, violation of Section 10850 of the Welfare & Institution Code is a misdemeanor and may result in a criminal prosecution.**

### 100.2 EXCEPTIONS TO CONFIDENTIALITY REQUIREMENTS

- a. A release of information has been signed by the client. Information can only be provided to those indicated on the release.
- b. The Director has authorized the release of the information.
- c. The client case has been referred to a Multi-Disciplinary Team and the information is releasable to the team members.
- d. Information is being released to an authorized representative of the client. The agency must have the authorization in writing.
- e. Information is determined to be public record and is releasable under the Public Records Act (Gov. Code, § 6250-6270). The Director or a Deputy Director will determine whether information is a public record or not.

# Glenn County Human Resource Agency

- f. Mandatory reporting of suspected child abuse under Section 11166 of the Penal Code and abuse or exploitation of elder or dependent adults per Welfare and Institutions Code 10850.1 and 15630.
- g. Reporting welfare fraud to a fraud investigator and cooperating with fraud investigations per Welfare and Institutions Codes 10850(e) and 11484.
- h. Providing information to law enforcement with a warrant for arrest per Welfare and Institutions Code 10850.3. Information will be provided to the Supervisory Welfare Investigator who will then release to law enforcement.

## 100.3 CONFIDENTIAL CLIENTS

Agency representatives who are related to an authorized representative of, or who are friends with a person obtaining services, will not be allowed access to that person's file and the information thereof, nor will they involve themselves in the processing of the case.

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### **Handbook Language Begins**

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Relatives are defined as the following: Mother, Father, Brother, Sister, Aunt, Uncle, Grandmother, Grandfather, Niece or Nephew.

A confidential client could also be a friend or relative with whom you have more than casual contact with on a regular basis. If you are unsure of whether or not a person should be confidential based on the regulations you should always contact a supervisor for directions.

A client can deem their case confidential from any worker and we shall honor their request in most cases. This is different than a client not wanting a specific worker.

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### **Handbook Language Ends**

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## 100.4 AUTHORIZED REPRESENTATIVES

Agency representatives are discouraged from becoming authorized representatives except in rare cases. If an agency representative must be an authorized representative, he/she must obtain authorization from their supervisor/manager. If approved, the agency representative will not discuss the case unless they have a scheduled appointment during authorized time off.

## 100.5 REPORTING BREACHES IN CONFIDENTIALITY

Agency representatives who are reasonably aware of a breach in confidentiality are charged with reporting the incident. Reportable breaches in confidentiality may occur during business hours at the workplace as well as after hours and outside of the workplace. These reports should be made in writing to the agency representative's supervisor/manager using the attached form.

# Glenn County Human Resource Agency

The agency cannot guarantee the anonymity of the reporting individual should the report result in disciplinary or legal action.

# Glenn County Human Resource Agency

<b>REPORT OF BREACH OF CONFIDENTIALITY</b>	
<b>Date of Incident:</b>	<b>Name of Offender:</b>
<b>Details of Situation (include place incident occurred):</b>	
<b>Other Witnesses:</b>	
<b>Name of Reporter (printed):</b>	
<b>Signature:</b>	<b>Report Date:</b>
<b>Supervisor's Signature:</b>	
Give a copy to the person making the report.	

# Glenn County Human Resource Agency

I have read and thoroughly understand the HRA Confidentiality Policy and agree to abide by this policy. I also understand that a violation of confidentiality is a misdemeanor and may result in a criminal prosecution under Section 10850 of the Welfare & Institution Code. A violation of this policy or a violation of confidentiality is also cause for discipline and may result in termination from employment/service with the Glenn County Human Resource Agency.

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Employee Signature

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Date

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Print Employee Name