

Policy Clarification Memo

Date: September 30, 2014

Re: MCBH and Contract Administration Staff Receiving Clinical Client Information from Community

<p>Policy/Procedure</p> <p>Stuff we really, really, really need to know.</p>	<p>Per Federal and State regulations and Monterey County Behavioral Health (MCBH) policy, all MCBH staff and its contractors must only access client health records for reasons within the scope of performing their specific job duties and responsibilities.</p> <p>Occasionally, non-clinical administration staff members from MCBH and its contractors receive clinical information from community members regarding MCBH clients. If this was to occur, take the following steps:</p> <ol style="list-style-type: none">1. Do not access client health records to obtain contact information regarding the client's direct clinical provider.2. Instead, provide the information you received to the clinical services director/manager of the agency/program. For example, MCBH Administration staff should provide this information to the Deputy Director of Clinical Services. <p>When staff access protected/confidential health information that is not part of their specific job duties and responsibilities, MCBH has to report this to both the Federal government and State as a HIPAA and MediCal contract violation.</p>
<p>Clarification</p> <p>Stuff we should read. Should clear up some confusion, we think (We hope).</p> <p>YOU CAN SERIOUSLY STOP READING AFTER THIS SECTION!</p>	<p>This does not apply to our clinic support staff, such as Patient Services Representatives, Medical Assistants, or office receptionists/clerks whose job responsibilities and duties require regular interaction both with the client and direct service providers.</p> <p>This policy clarification memo applies to MCBH and contractor administration staff whose job responsibilities do not regularly involve clinical service related interaction with both clients and direct client staff, such as billing department staff, management analysts, etc.</p> <p>There is a crucial balance between fulfilling a staff member's moral obligations to ensure that each and every member of our community is safe while also protecting their legally protected rights to health information confidentiality. This policy clarification hopefully creates an adequate mechanism to meet both these needs.</p>
<p>Background</p> <p>Stuff that you want to read but won't admit to it because you're a QI nerd at that point.</p>	<p>Review MCBH Policy 350 - Confidentiality of Protected Health Information; Policy 351 - Confidentiality of Protected Health Information - Substance Abuse; Policy 352 - Confidentiality of Protected Health Information - Multi-Disciplinary Teams.</p>