



Monterey County Behavioral Health Policy and Procedure

Policy Number	496
Policy Title	Electronic Communication System
References	Code of Federal Regulations, Title 45, Section 160 and 164 (45 CFR 160 and 164) 42 CFR Part 2 California Health and Safety Code sections 11942 et seq.
Form	Electronic Communication Instructions
Effective	July 28, 2016

1 Policy

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3 It is the policy of Monterey County Behavioral Health (MCBH) to implement and maintain appropriate and
4 reasonable safeguards for electronic messaging systems and to establish standards for their appropriate use.
5 Standards for appropriate use will help ensure that we adequately protect message data, from unauthorized
6 access, and that acceptable standards for business communications are used. These standards will also ensure
7 that MCBH will meet its legal obligations. MCBH's use of electronic messaging systems to be used as business
8 communications tools only. The systems and all messages transported or stored thereon are the property of
9 MCBH.

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11 The purpose of this policy is to outline the use of a text messaging platform for appointment reminders to
12 consumers. MCBH shall utilize a messaging platform which includes confidentiality safeguard protections and all
13 state and federal privacy regulations shall be in place. "Protected health information" (PHI) shall have the same
14 meaning as defined by 45 CFR Parts 160 and 164 and in other related MCBH policies. No PHI or personal
15 identifying information (PII) shall be disclosed via text messages or any other information that may be deemed
16 with similar protections. The minimum necessary information will be used for text message reminder (i.e. date,
17 time, and address of appointment).

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19 It should be noted that even with confidentiality safeguards in place, text messaging provides no assurance of
20 message confidentiality, integrity, or availability. Text messages are commonly available on mobile devices such
21 as cell phones and text message communications may not be easily preserved or disposed of. Since mobile
22 devices have a higher risk of loss or theft, additional safeguards should be considered by the consumer (i.e. use
23 of password protected devices) to help protect their confidentiality. Text messages sent to or received by MCBH
24 may constitute business records that must be retained in accordance with record retention policies.

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26 Use of the text messaging platform within MCBH for appointment reminders shall require the consumer to opt-in
27 to participation in the program. The consumer shall be provided with information on risks associated with the use
28 of the text messaging platform. There will be no fee by MCBH to consumers, however, the consumer may incur
29 costs for text messages from their telephone carrier. Consumers have the right to choose whether to participate
30 in the text messaging service without penalty of any kind.

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32 This policy does **NOT** authorize or permit the use of text messaging on personal or county-issued devices to
33 transmit any health care information about consumers directly to the consumer, other MCBH staff, or other
34 healthcare providers.

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Procedure

In order to ensure accurate and most updated information contact information for consumers, staff shall verify the consumer's cell phone number at each session and/or visit, whenever possible. The consumers' health record should be updated when changes have been identified.

Staff shall inform consumers of their option to participate in text messaging service for appointment reminders. Staff shall offer and/or provide the consumer with the "text and recorded messaging" document which supports the consumer's ability to make an informed decision about the use of text messages for appointment reminders.

All consumers shall be asked about their opt-in preference. For consumers who opt-in, a signed consent shall be collected via electronic health record. All consumers shall have the right to choose whether to participate in the text messaging option and shall have the right to refuse without penalty of any kind. All consumers shall be permitted to opt-in via consent, at a later time, if they wish to do so.

Consumers may revoke their participation at any time by informing any staff member.

- Staff shall "revoke" the consent form in the electronic health record

MCBH will utilize a text messaging platform to send appointment reminders via text message. Consumers who have opted-in will receive an electronically generated text message containing the minimum necessary information notifying the consumer of the upcoming appointment. The body of the text message will contain the date, time, and location address of the appointment. PHI or PII will not be sent via the text messaging platform. Additionally, the consumer will have the option to respond, via text, to confirm, ask to cancel, ask to reschedule appointment or text "stop" if they no longer want to receive text message reminders. In the event the consumer using the "stop" action, a new text message consent will need to be completed to restart the process.

Patient Support Staff (PSR) or similar staff members shall follow identified protocols (CareMessage User Guide available at www.mtyhd.org/QI) and clinic-specific protocols as designated by program supervisor/manger.



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Electronic Communication Consent

I _____, allow Monterey County Health Department, Behavioral Health Division, to inform me of upcoming appointments using electronic communication; text and recorded messages.

My initials below indicate I agree with the following statements:

_____ I have been offered a copy of the Electronic Communication document and understand its content

_____ I acknowledge and understand that electronic communication is less secure than paper forms of communication and may be at a higher risk for disclosure

_____ I acknowledge and understand that Monterey County Health Department will comply with state and federal rules about protecting my personal health information (PHI) and Personal Identifiable Information (PII).

_____ I acknowledge and understand that despite the precautions taken by Monterey County Health Department to protect my privacy, there is no assurance of confidentiality when information is communicated via text messaging.

_____ I acknowledge and understand that I may revoke or cancel my participation in the electronic communication program at any time.

Signature: _____

Date: _____



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Electronic Communication Consent

At Monterey County Behavioral Health (MCBH) we understand the importance of your care. For this reason, we are excited to announce the use of appointment reminders using text messaging and recorded messages. Monterey County Behavioral Health will begin using this alternative method for communicating with you about your appointments.

Monterey County Behavioral Health understands the importance of protecting your privacy and makes it its top priority. Be assured that we take necessary steps to comply with state and federal rules about protecting your personal health information (PHI) and Personal Identifiable Information (PII). We will NOT send or request any PHI or PII information from you via text messaging. We will use the minimum information necessary for text messaging and recorded reminders (for example: date, time, address of appointment, and a method to confirm, reschedule, or cancel).

You have the right to decide if participating in this program is right for you. You have the right to request that your health care provider(s) communicate with you via "alternative methods." It is your right to be informed in sufficient detail about the risks of communicating using text or recorded messages and how MCBH will use and disclose information using these methods. Please be aware that text communication is less secure than communication using U.S. mail or other paper delivery forms. Information sent electronically may be at a higher risk for disclosure.

- Your request for text communication will remain in effect until you notify us that you wish to revoke the request to communicate using text messaging or recorded messages.
- If you have an urgent or emergency situation, you should seek immediate assistance by calling 9-1-1 or your health care provider.
- MCBH will take the necessary steps to protect your personal health information (PHI) and Personal Identifiable Information (PII).



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- MCBH will communicate with you using the minimum necessary information to inform you of your appointment.
- MCBH will never text or ask for your Personal Identifiable Information (PII) (for example: date of birth, social security number, or certain other confidential information) by text message. This will help protect your information.
- MCBH will not communicate health information that has special confidentiality protections under state and federal law (for example, HIV/AIDS information or substance abuse information)
- Text message communication is a two-way process. Your text messages may need to be read by MCBH staff in order to provide you with services.
- Text messages can sometimes be misinterpreted because they do not have facial expressions or you cannot hear the tone in the voice as you would with a telephone or face-to-face conversation. To avoid misinterpretation, you may want to check in with the MCBH staff member as needed.
- We recommend you use password protected devices to send or receive text messages or recorded messages from MCBH.
- Devices provided to you by your employer may have additional inherent privacy risks for you to consider prior to signing a text messaging consent.

If you choose to participate, you are required to sign a consent for text and recorded messaging. There is **NO fee** to participate, but be aware that you may incur charges through your own telephone carrier. You may choose to revoke or cancel your participation in this program at any time.

If you decide this program is not for you, there will be no changes to how you currently receive reminders of your upcoming appointments. There is **NO penalty** of any kind to you if you decide this program is not right for you. Additionally, if in the future you decide you want to receive text and recorded messaging reminders, you can choose to re-enroll at any time.



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Consentimiento de Comunicación Electrónica

En el Departamento de Salud Mental del Condado de Monterey, (MCBH) entendemos la importancia de su cuidado. Por esta razón estamos muy contentos de anunciar el uso de recordatorios de citas usando mensajes de texto y mensaje grabado. Los Servicios de Salud Mental del Condado de Monterey comenzarán a utilizar un método alternativo para la comunicación de citas. Usted tiene derecho a decidir si participar en este programa es adecuado para usted.

MCBH entendemos la importancia de proteger su privacidad y es nuestra máxima prioridad. Estén seguros de que tomaremos las medidas necesarias para cumplir con las normas estatales y federales sobre la protección de su información personal de salud (PHI) y la información personal identificable (PII). No vamos a enviar o solicitar cualquier información PHI o información de identificación personal de usted a través de mensajes de texto. Vamos a utilizar la información mínima necesaria para la mensajería de texto y recordatorios grabados (por ejemplo: fecha, hora y dirección de la cita, un método para confirmar, reprogramar o cancelar).

Usted tiene el derecho de decidir si participar en este programa es adecuado para usted. Usted tiene el derecho de pedir que su proveedor (s) de atención médica se comunique con usted a través de "métodos alternativos". Es su derecho a ser informados con suficiente detalle sobre los riesgos de la comunicación mediante texto o mensajes grabados y cómo MCBH va a usar y divulgar información usando estos métodos. Tenga en cuenta que la comunicación de texto es menos seguro que la comunicación a través del correo EE.UU. u otras formas de suministro de papel. La información enviada electrónicamente puede estar en un riesgo mayor para la divulgación.

- Su solicitud de comunicación de texto se mantendrá en efecto hasta que nos notifique que desea revocar la solicitud de comunicarse mediante mensajes de texto o mensajes grabados.
- Si usted tiene una situación urgente o de emergencia, debe buscar ayuda inmediata llamando al 9-1-1 o a su proveedor de atención médica.
- MCBH tomara las medidas necesarias para proteger su información personal de salud (PHI).



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- MCBH se comunicara con usted utilizando la información mínima necesaria para informarle de su cita.
- MCBH nunca enviara un texto o solicitar su información personal identificable (PII) (por ejemplo: fecha de nacimiento, número de seguro social, o alguna otra información confidencial). Esto ayudará a proteger su información.
- MCBH no comunicara la información de salud que tiene protecciones de confidencialidad especiales bajo la ley estatal y federal (por ejemplo, información del VIH / SIDA o información de abuso de sustancias)
- La comunicación de mensajes de texto es un proceso bidireccional. Los mensajes de texto pueden ser leídos por el personal MCBH con el fin de proporcionarle servicios.
- Los mensajes de texto pueden a veces ser mal interpretados debido a que no tienen expresiones faciales o no se oye el tono de la voz como lo haría con un teléfono o una conversación cara a cara. Para evitar malas interpretaciones, es posible que desee comunicarse con el miembro del personal MCBH.
- MCBH recomienda que utilice dispositivos protegidos con contraseña para enviar o recibir mensajes de texto o mensajes grabados de MCBH.
- Dispositivos proporcionados por su empleador pueden tener riesgos adicionales inherentes de privacidad para que usted considere antes de firmar el consentimiento de mensajes de texto.

Si usted decide participar, a usted se le requerirá firmar un consentimiento para mensajes de texto. No hay ninguna cuota para participar, pero tenga en cuenta que puede incurrir cargos a través de su compañía de teléfono. Usted puede revocar o cancelar su participación en este programa en cualquier momento.

Si decide que este programa no es para usted, usted continuará recibiendo recordatorios de sus citas como de costumbre. No hay ninguna penalización de ningún tipo a usted decide no participar. Además, si en el futuro usted decide que desea participar, puede hacerlo en cualquier momento.

