

SANILAC COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

ADMINISTRATIVE PROCEDURE

NUMBER: DA1047

NAME: CONFIDENTIALITY PROCEDURES FOR OFF-SITE AGENCY PREMISES

INITIAL APPROVAL DATE:	07/18/2001	BY: Administrative Committee
STAKEHOLDER REVIEW:	04/15/2025	BY: Recipient Rights Advisory Committee
(LAST) REVISION DATE:	04/01/2025	BY: CIO
(LAST) REVIEW DATE:	04/15/2025	BY: Recipient Rights Officer
	04/17/2025	BY: Policy Committee
DISCONTINUED DATE:	N/A	REPLACED BY: N/A

I. PURPOSE

To establish a uniform practice regarding the use and/or sharing of confidential information/documentation outside of agency premises (i.e., off-site) by agency staff or contract providers.

II. APPLICATION

Populations: **ALL**

Programs: Direct: **ALL**
Contract: **ALL**

III. POLICY

It is the policy of Sanilac CMH that all information obtained about a recipient during the course of treatment will be handled in a manner that complies with all state and federal regulations regarding confidentiality.

IV. STANDARDS

- 1.** All sharing and handling of confidential information/documentation must be in compliance with the standards of the Michigan Mental Health Code R330.1748, R330.1748a, HIPAA regulations and all current Sanilac CMH policies and/or procedures on confidentiality.
- 2.** Staff/contractors will be responsible to assess any setting(s) in which confidential information is being used or shared and make all reasonable efforts to maximize the security and confidentiality of this information.
- 3.** Meetings, treatment sessions, or interviews may be conducted in integrated locations in the community, including the beneficiary's home, according to individual needs and clinical appropriateness as long as confidentiality and privacy is maintained.
- 4.** Staff/contractors who are physically off-site may not share confidential information verbally, or via phone, except under one or more of the following conditions or in situations covered above in #3.:
 - a)** Information sharing is necessary to obtain emergency services.

- b) Information sharing is necessary to assure the health or safety of the individual(e.g., communication on health condition with bus driver, communication with volunteer care provider on personal care needs during outing, etc.).
 - c) In order to meet individual needs, information sharing is necessary which cannot take place during normal office hours (e.g. contacts with guardians who are not available during business hours, contacts with individuals or agencies in different time zones, etc.).
 - d) The off-site location is a recognized place of business by Sanilac CMH for the staff or contractor.
- 5.** Originals or copies of confidential documents and/or individual specific information may not be sent or taken off-site by staff/contractors except under one or more of the following conditions:
- a) Information sharing is necessary for services to be delivered, recorded, or monitored off site.
 - b) Documentation is being delivered to the individual, guardian, service provider, or public agency for consent or coordination of services.
 - c) The specific item of documentation is being generated, completed or used off-site (e.g. on-call notes, residential paperwork, etc.)
 - d) The staff/contractor potentially needs the information to respond to an individual crisis or emergency (e.g. on-call, during non-office hours, etc.)
 - e) The off-site location is a recognized place of business by Sanilac CMH for the staff or contractor.
 - f) The staff/contractor has specific permission from their supervisor to work at an alternative location and to have confidential documents at that location.
- 6.** Confidential information may not be input into, or stored on, computers or electronic storage devices except in the following situations:
- a) Data must only be stored and transported on an encrypted, password protected thumb drive provided by the IT Department. Data must not be stored directly on a non-CMH laptop or non-encrypted portable storage device.
 - b) The computer or storage device is the property of Sanilac CMH which the staff/contractor is authorized to use. Loaner laptop computers are available on an as-needed basis with approval from the staff's supervisor. Arrangements to utilize a loaner laptop computer are made by contacting the IT Department.
 - c) The owner of the computer is a contract provider performing a function covered under the contract agreement and has permission to use Sanilac CMH equipment provided by the IT Department.

II. ATTACHMENTS

III. REFERENCES