

SUBJECT: CONFIDENTIALITY OF INFORMATION - GENERAL ISSUES	REFERENCE #A-102
DEPARTMENT: THERAPEUTIC/PSYCHIATRIC SOLUTIONS	PAGE: 1 OF: 3 ATTACHMENT
APPROVED BY: Ahmed Abouesh, M.D. – Medical Director	EFFECTIVE: 6/30/2010 REVISED: 9/8/2017; 6/26/2019

## **I. POLICY:**

Therapeutic/Psychiatric Solutions' policy is to maintain an individual's right to privacy and confidentiality of information. Information known or contained in the patient's medical record (known as protected health information) shall be treated as confidential and will be released in appropriate circumstances only with the written consent of the patient or legal guardian. Information concerning patients, visitors and staff shall be managed with the highest degree of appropriateness and confidentiality, pursuant to organization wide policies and procedures.

- A. Information concerning patients, practitioners, contractors or other business concerns, is considered confidential and will not be disclosed to anyone other than properly authorized persons or as otherwise requested by state or federal regulations.
- B. All employees are required to sign a Confidentiality Agreement upon hire and annually thereafter.

## **II. PROCEDURE:**

- A. All employees at Therapeutic/Psychiatric Solutions have access to information concerning patients. All information must be held in strict confidence and shall abide by the Health Insurance Portability and Accountability Act (HIPAA) regulations.
  - 1. Information concerning patients which may be considered ordinary facts and necessary for planning of specific care and services, will be handled with professional discretion and on a "need to know" basis.
  - 2. Information regarding physicians, staff members or volunteers is to be relayed to others as appropriate to the related job function or task and/or to facilitate patient care and services only. Information regarding physicians, staff members or volunteers is to be kept on a professional level, and only discussed in relationship to the individual's purpose and function within the institution.
  - 3. Requests for patient information will be directed to the appropriate personnel, defined by policy. Disposition of such requests will be in accordance with the program's established policy and procedure for Release of Information and pursuant to the HIPAA regulations.
  - 4. At no time shall employees, volunteers, or others associated with this program, who have access to confidential patient or program information, speak with the news media, or others outside the program, without prior approval from the executive

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leadership team. All encounters with the news media should be directed to a member of the executive leadership team.

- B. Advances in technology will be reviewed as they are made available, to determine if these advances can be employed to improve privacy and confidentiality practices.
- C. Personal opinions regarding staff members, are not to be expressed in a public environment and should always be directed to the staff member's supervisor. At no time shall employees or others associated with this program engage in discussions of a personal nature which are unrelated to the organization's mission, values and purpose.
- D. All staff will be educated and trained about the requirements for information privacy and confidentiality appropriate for their position within the organization. Education and training can include: orientation, initial education and any ongoing education and training necessary related to changes with this organization's information confidentiality and privacy practices.
- E. Enforcement of this policy's principles will be monitored through the combined efforts of the organization's management team.
- F. Breaches in Confidentiality whether accidental or purposeful, are reported to the employee's supervisor immediately upon discovery through the established incident reporting process, and/or by direct report. Full disclosure of the breach shall also be communicated to the parties involved according to state law/regulation and HIPPA.

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## STAFF OATH OF CONFIDENTIALITY

I hereby acknowledge and understand that I may not admit, acknowledge nor inform anyone or any agency that a person is a patient at Therapeutic/Psychiatric Solutions.

In addition, I understand that I may not:

- Release any information regarding a patient by any means of communication.
- Photograph, record or film any patient.
- Discuss, present or share any information that reveals a patient’s identity and/or breach their confidentiality.

My signature below indicates I understand Therapeutic/Psychiatric Solutions confidentiality policies and agree to abide by these policies.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Title: \_\_\_\_\_