

Memo

To: All SUD Providers

From: Nathan Hobbs

Re: New Release of Information Forms

Date: June 25, 2018

BHCS/SUD has developed new Release of Information (ROI) forms in order to share client data and information across the SUD Providers. These new ROI forms have been approved by the BHCS Alameda County Counsel and delineate when SUD Providers can share client data and with whom they can share client information (among other SUD Provider, external to BHCS, family members, etc.).

The Federal Regulation 42 CRF, Part 2, states that SUD client data and information cannot be shared or released without specific signed consent. Given this, a General SUD Provider Network ROI must be completed for each client in order to receive SUD treatment in the DMC-ODS. *(Contact your BHCS QA C contact for assistance if a client refuses to sign this release. Do not enter any information into Clinician's Gateway or InSyst until this is resolved.)*

Release of Information required for all clients:

- 1) **General SUD Provider Network (SPN) ROI** – a general release form must be signed by all clients and allows BHCS/SUD providers to share client data within the BHCS SUD Provider Network (SPN), BHCS County Staff, and the California Dept. of Health Care Services (DHCS). It allows the client's data and information to be shared with past, present and future SPN providers. This ROI does not allow for client information to be shared with providers outside of the SUD Provider Network, BHCS or DHCS.

Addition Release of Information based on need of the client:

- 1) **Emergency Contact ROI**- a release form that allows BHCS/SUD provider to share client data with a specific named emergency contact.
- 2) **Criminal Justice ROI** – a release form that allows BHCS/SUD provider to share client data with those involved in the criminal justice system, such as probation officers, AB109 or Drug Court Manager. *(in development, under review)*
- 3) **External Contact ROI** – a release form that allows BHCS/SUD provider to share client data with specific named provider outside of the BHCS SUD Provider Network, BHCS or DHCS; such as housing coordinator, social services., primary care physician, etc. *(in development, under review)*

Purpose of Information Sharing:

All Release of Information forms include the language that information can be shared for the following purposes: SUD treatment, diagnosis, and referral; payment; enrollment; case management; care coordination; medication management; and/or eligibility for benefits.

Who has access to the shared SUD client data?

- 1) Professional service providers, who are treating the client or are considering the client for services, including any of the following: certified SUD counselors, registered SUD registrants, Licensed Professionals of the Healing Arts (LPHA) which include: MFT, LCSW and LPCC, licensed psychologist, registered interns, physicians, registered nurse practitioners, physician assistants and Certified Peer Specialists.
- 2) BHCS County Staff, who have professional involvement in the case, including but not limited to staff in any of the following departments: System of Care/operations, data analysis, information system, contract management, quality management and financial management.

How long is the ROI valid?

The signed ROI is valid for 12 months from the date signed.

How can a client revoke the ROI?

The client has the right to revoke the authorization for the ROI at any time. The client must contact BHCS Health Information, not the SUD subcontracted provider, to revoke the authorization granted to BHCS. The client must issue separate revocations to any other individuals or organizations/providers that they have granted authorization to disclose, distribute, share, or receive their personal information or data.

Procedure

1. During the intake process, the SUD Treatment Provider should present the general ROI, along with any of the Release of Information forms that might be appropriate.
2. SUD Treatment Provider explains each section of the ROI including the information that can be shared, who can receive the client data
3. SUD Treatment Provider explains that the client will need to sign a General SUD Provider Network ROI with each new SUD Treatment Provider (if transitioning from one ASAM level of care to another, the client will need to sign a new ROI).
4. A hard copy of the signed ROI(s) must be included in the client record. Once all SUD Providers are using Clinician's Gateway, an electronic form of the ROI will be included in the E.H.R.
5. For auditing purposes, each individual provider must keep a log of disclosures made under the General SUD Provider Network ROI. This includes any information that is distributed on paper or verbally. The name of person releasing the information, person receiving the information, and date must all be recorded. Providers who electronically access the client data in InSyst or Clinician's Gateway are automatically logged (name, client name, date and time stamped) within the system.