

Community Resource Coordination Group (CRCG) Confidentiality Policy

Definitions

CRCG members: CRCG members include, but are not limited to, representatives from state agencies, nonprofit organizations, faith-based groups, and the community.

Individuals and families: Person or persons served by a CRCG.

Purpose

The purpose of this policy is to ensure that the local CRCGs have a policy and set of procedures in place to maintain the confidentiality of the protected information of the individuals and families they serve. Protected information includes the following:

- Client Information, including Personal Identifying Information defined by Texas Business and Commerce Code Chapter 521;
- Protected Health Information (PHI) in any form including without limitation, Electronic Protected Health Information or Unsecured Protected Health Information defined in the Health Insurance Portability and Accountability Act;
- Sensitive Personal Information defined by Texas Business and Commerce Code Ch. 521;
- Federal Tax Information defined in Internal Revenue Service Publication 1075;
- Social Security Administration Data, defined as records, information, or data made by the Social Security Administration to HHS for its administration of federally funded benefit programs under the Social Security Act including, without limitation, Medicaid information;
- Education Records as defined by Federal Educational Rights and Privacy Act;
- All information designated as confidential under the constitution and laws of the State of Texas and of the United States, including the Texas Health & Safety Code and the Texas Public Information Act, Texas Government Code, Chapter 552.

Policy

It is the policy of all local CRCGs to follow state and federal laws pertaining to confidentiality. Local CRCGs recognize and protect each individual's and family's right to confidentiality. This right cannot be abridged except in those

cases required by law, such as an individual's expressed intent to harm self or others, or a client's report of abuse.

Procedure

- (1) CRCG members and guest attendees will sign a Confidentiality Agreement stating that they will maintain the confidentiality of information and documents provided to the CRCG as bound by state and federal law. A member's breach of this agreement will result in the termination of his/her membership to the CRCG and may result in the revocation of his/her professional license(s).
- (2) Individuals and families who attend a staffing may elect to sign a Release of Information form authorizing the release of confidential information to the CRCG. The individual or family may choose to not disclose certain information to the CRCG. The individual or family may also choose to not disclose information to certain members of the CRCG. If representatives have questions about the appropriate procedure, forms, or protocol for securing releases, it is important they seek direction from within their own agency.
- (3) At the beginning of each staffing, the CRCG Chair or leader will explain to the individual or family their right to confidentiality, including instances in which this right must be abridged.
- (4) An individual's or family's information will not be released to any other party without the individual's or family's written consent.
- (5) Files containing confidential information will be stored in a locked cabinet behind a locked door. All files pertaining to a staffing will be kept by the CRCG for two years from the date of the final follow-up. After this time, documents containing sensitive and confidential material will be destroyed.