HEALTHY PROSPEROUS TRIBE HEALTH DEPARTMENT
Policy No. 110

CONFIDENTIALITY

I. PURPOSE

To assure confidentiality for individuals and families using health services provided by the Healthy Prosperous Tribe Health Department. To assure that HIPAA requirements are met.

II. SCOPE

This policy applies to all individuals and families who use health services provided by the Healthy Prosperous Health Department and all employees of the Tribe (including Health Department staff and other staff providing contributing services.)

III. POLICY

The Tribe requires staff to protect the confidentiality of all information related to individuals and families using services, according to established procedures and applicable laws, including the Health Insurance Portability and Accountability Act (HIPAA.)

IV. PROCEDURE

A. Confidential information will not be disclosed, unless the individual or family receiving services has signed a written informed consent, or unless authorized by applicable law or policy.

B. Standardized forms will be used to authorize release and/or exchange of confidential information, containing:

- Name of the individual(s) receiving services;
- Date;
- Name and address of the provider;
- Name and address of the person or entity to whom the information is to be provided;

•Reason for disclosure;
•Specific kind of information to be disclosed;
•Period of time the consent is to be in force;
•Signature of the consumer and/or responsible other; and
•Signature of a witness.

C. Exceptions to this policy are:
•To respond to a court of competent jurisdiction under court order or as required by Tribal law;
•To maintain a team approach which maintains the effectiveness and quality services, by disclosing the minimum information needed to serve the individual(s)' needs;
•To mental health personnel if the individual is suicidal, homicidal or gravely disabled;
•To respond to an emergency by disclosing vital information to a hospital, emergency medical personnel, tribal law enforcement or public health officers;
•To comply with applicable laws requiring the report of suspected abuse or neglect of a child to PGST Law Enforcement, or PGST Indian Child Welfare;
•To comply with applicable laws requiring the report of suspected abuse or neglect of an adult to tribal adult protective services (Community Health Department); and
•To track utilization and effectiveness of tribal services by aggregating (grouping) statistics, ensuring that anonymity is protected.

D. All disclosures made will be documented in the case file and include the date of disclosure, person or entity receiving information, nature of information disclosed and reasons for disclosure.

E. All records of individuals and families will be stored in a manner ensuring security and confidentiality. Records will be maintained in locked cabinets or be housed in a secure room with a locking door.

F. Possible violations to this policy will be reported and addressed according to the Tribe's Complaint Policy. If necessary, this policy will be reviewed and explained to all individuals involved in the incident.