

Madawaska Valley

Association For

Community Living

**POLICY: CONFIDENTIALITY**

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**REVISED:**

**REVIEWED: MAY 17, 2019**

**APPROVED: APRIL 16, 2013**

**NUMBER: 5-5**

**CATEGORY: SERVICE DELIVERY**

Policy Statement:

All information contained in an individual’s file and an employees’ personnel record is considered privileged and confidential.

The right of every individual to privacy should be recognized and protected to the greatest extent possible.

General Procedures Regarding Confidentiality:

1. All full-time, part-time, contract and temporary personnel employed by the Association, including volunteers, who are exposed to confidential material, will review the Confidentiality Policy and sign a Statement Respecting Confidentiality, upon commencement with the Association. An annual review of the policy will be completed each year thereafter.

2. Under the authority of the manager, part-time employees will have access to only that portion of the individual's file they need to review, rather than the file in its entirety.

3. Volunteers will not have access to confidential individual's files. Verbal review of individual information will occur with the Manager. Volunteers will also sign a "Statement Respecting Confidentiality" upon commencement with the Association.

4. Persons supported should normally have access to personally identifiable information about themselves.

5. The Association will not employ commercially operated companies to transcribe dictation or type material pertaining to supported persons.

6. No verbal or written material information about a Person Receiving Services is released without his/her written/verbal consent or the written consent of the family/advocate or power of attorney. All requests for information are approved by the Executive Director or designate.

7. No information, which MVACL receives from other sources about a person, can be forwarded without the Person’s written permission. Information or reports received from other Organizations can only be released by the original Organization.

8. In the event that an Employee is in doubt as to whether certain information is confidential, no disclosure is made without reviewing the situation with the appropriate Manager. This practice of caution and discretion in handling confidential information extends to both external and internal disclosure.

9. A breach of confidentiality may result in discipline, up to and including dismissal.

Securing Confidential Records:

Employee and supported personal records are the property of the Association whose responsibility it is to secure the information against loss, fire, theft, defacement, tampering and copying or use by unauthorized persons.

Removing Records:

The records may be removed from the Association's jurisdiction and safekeeping only in accordance with a court order, subpoena or statute.

Transfer of Records:

When supported persons are transferred to other agencies the original records should not leave the agency, which compiled them.

Informational records should be prepared from the original consisting of:

1. A summary of the reasons for the resident's transfer and the method if applicable;

2. A detailed summary of the history and progress during the period of service;

3. A detailed summary of program data, pertinent physical and laboratory findings, diagnoses, recommendations and discharge medication;

4. Any additional information, which may be requested by the admitting facility or new agency, but not the original records.

The final result will ensure greater protection and control of the supported person’s confidential records.

Transmission of Information on File:

Information contained in a supported person’s record should not be transmitted directly to any members of the staff or to students or volunteers who are not involved in the individual care or program. Such information should only be transmitted by authorized/manager staff who would screen the information requested and transmit only that which is required and appears justified.



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STATEMENT RESPECTING CONFIDENTIALITY

I hereby acknowledge that I understand that in the course of carrying out my duties I will be dealing with information contained in files and records that is confidential or that reveals or tends to reveal the identity of the person who is the subject of the record or the identity or person who has provided information about the subject of the record.

I also understand that any information and material pertaining to MVACL business that I am exposed to will remain in confidence.

I agree to hold such information confidential and, except as I may be legally required, I will not declare or release it to any person at any time.

Signed: Date:

Please print name: