



**SMI Eligibility Determinations
Policies and Procedures**

**Policy: Release of Information
Policy Chapter: 4.00 Confidentiality**

Number: ECS 4.02

Policy:

It is the policy of the Crisis Response Network (CRN) to adhere to all regulations regarding the release of Protected Health Information (PHI).

Definitions:

Protected Health Information is any personal, identifiable information about an individual which is created or received by a health plan, provider or health care clearinghouse. Protected Health Information (PHI) includes but is not limited to: name, address, e-mail address, birth date (except year) and social security number.

Health Care Decision Maker is an individual who is authorized to make health care treatment decisions for a person, including the parent of a minor or an individual who is authorized pursuant to A.R.S. Title 14, Chapter 5, Article 2 or 3 or A.R.S. § 36-3221, 36-3231.

Procedures:

I. General Requirements Regarding Release of Information

- A. When the release of client information is permitted or required by law, SMI Eligibility Determination staff will share only the minimum information necessary to accomplish the intended purpose of the release of information. This is referred to as the “minimum necessary” standard-
- B. SMI Eligibility Determination staff will document the release of all confidential client information in the electronic health record (EHR). At a minimum, this includes a description of the information released, the name of the individual (and agency, if applicable) to whom the information was provided, and the date of the release of information.
- C. HIV-related information is never to be shared without prior approval from the Director or Compliance department. A Release of Information (ROI) form that specifically identifies the release of HIV-related information and complies with the requirements of A.R.S. 36-664 (F) is required for disclosure.

II. General Guidelines for Release of Information

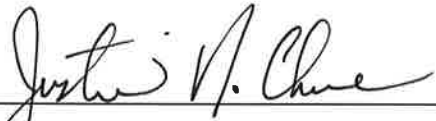
- A. SMI Eligibility Determination staff is encouraged to consult with the Director or Compliance department in any situation where it is unclear regarding information which may or may not be released.
- B. Sharing Information with the Client: Upon request, SMI Eligibility Determination staff must disclose treatment information to a client or their Health Care Decision Maker unless the information requested is likely to endanger the life or physical safety of the client or another person.
 - i. In the event there are concerns regarding safety by disclosing the information, the Chief Medical Officer must review and approve the information to be disclosed.
- C. Sharing Information with the Managed Care Organization (MCO), including the Direct Care Clinics (DCC):

Information regarding the diagnosis, treatment or referral of a client for a mental health and/or substance abuse disorder may be shared with the MCO, including with staff at the DCC, without the consent of the client or their Health Care Decision Maker to the extent that the information shared is needed by the MCO or DCC to provide services to a currently or previously enrolled client.
- D. Sharing Information with MCO: Information regarding the diagnosis, treatment or referral of a client for mental health services may be disclosed to a provider without the consent of the client or their Health Care Decision Maker if the provider is considered to be part of the client's clinical team. Information related to alcohol or drug treatment may not be disclosed without written consent from the client or their Health Care Decision Maker.
- E. Sharing Information with the Client's Family or Community Member: With verbal consent from the client or their Health Care Decision Maker, information regarding mental health treatment may be released to family

members or community members who are actively participating in the client's treatment or supervision. Verbal consent is to be documented by SMI Eligibility Determination staff in the EHR. Information related to alcohol or drug treatment may not be disclosed without written consent from the client or their Health Care Decision Maker.

- F. **Sharing Information with Emergency Medical Personnel:** Information regarding the diagnosis, treatment or referral of a client for mental health and/or substance abuse disorder may be disclosed to emergency medical personnel without the consent of the client or their Health Care Decision Maker in cases where the information shared is to treat a condition which poses an immediate threat to the health of the client or another person and when the health condition requires immediate medical intervention.

Approval:


Justin Chase, LMSW, CPHQ, FACHE
Chief Executive Officer

4/9/2020
Date

