



## CONFIDENTIALITY POLICY

The Damien Center recognizes the paramount importance of the principle of confidentiality of client information, both for the benefit of the client and for the continued credibility of the agency. It will be the practice of all staff\*, paid and volunteer, to make every effort to respect confidentiality and to search for solutions to problems related to avoiding breaches of confidentiality. The Damien Center will not identify individuals who are clients. The agency will also not state that an individual is not a client.

Confidentiality may be broken (report made to appropriate authority or agency) only under the following exceptional circumstances, which shall also be documented in the client's file:

1. When there is a clear and immediate danger of grave physical harm to the client.
  - E.g. suicide
2. When there is a clear and immediate danger of grave physical harm to others.
  - E.g. assault or homicide
3. When there is a statute requiring breach of confidentiality.
  - E.g. child abuse, endangered adult, dog bite, knife wound, gunshot, burn
4. When there is clear reason to believe that the client is not disclosing their HIV status to sexual or needle sharing partners.
5. When there is a court order to release information.

Even when such exceptional circumstances exist, care coordinators or other professional staff shall, before breaking confidence, make every reasonable effort to communicate to the client that the breach in confidentiality is required.

The Damien Center also will share information internally among staff\* for the purpose of coordinating care and services.

A Release of Information form signed by the client will be required for all information released at the request of the client. Agency staff may request information about clients from records of other agencies with the written consent of the client on an appropriate Release of Information form.

The agency may, from time to time, share anonymous, summarized statistical data about the client population to funding sources and the public, provided that no individual client can be identified from the information. In addition, we are required by some funding sources to provide specific, anonymous individualized data. This means that The Damien Center will not release any information which is linked by name to any client, unless the client gives written informed consent authorizing us to release name-linked information (see Damien Center Release of Information form). In addition to name-linked data, this policy of non-disclosure applies to other identifying data such as complete social security numbers.

All reported breaches of confidentiality will be investigated and shall include one of the following resolutions:

- Written and/or verbal reprimand
- Internal management resolution
- Termination of duties, paid or volunteer

- Brought to the Grievance Committee

\* This may include any individual performing duties on behalf of The Damien Center (i.e. employees, volunteers, student interns, or Board members).

### The Client's Role in Confidentiality

The Damien Center also recognizes the importance of a client's role in maintaining confidentiality. Each client enrolled in services\*\* of The Damien Center will be expected to follow confidentiality guidelines in which he or she will not identify other individuals who are clients. All clients are expected to sign a consent form stating their understanding and agreement to this policy in order to access services of the agency. The Damien Center staff will make every effort to inform clients of this policy.

All reported breaches of confidentiality by a Damien Center client will be investigated and shall include one of the following resolutions:

- Written and/or verbal reprimand
- Internal management resolution
- Termination of services
- Brought to the Grievance Committee

\*\* Services of The Damien Center are defined as any and all assistance provided or coordinated by The Damien Center or its representatives including but not limited to care coordination, support groups, social functions, planning committees, etc.

### Procedure for Reported Breach of Confidentiality

Any suspected breaches of confidentiality should be reported directly to a management level staff of The Damien Center. The person making the accusation must provide it in writing with a signature. The manager must complete a written account of the situation, which is to include the name and contact information for both the person making the accusation and the person being accused. Any person accused of breaching confidentiality will not be allowed to access services or programs on-site until the situation is resolved. If both parties are willing to resolve the issue, a face-to-face meeting should be scheduled by the manager. The manager who is investigating the reported breach is responsible for beginning an investigation of the allegations within a forty-eight hour period and should resolve the matter as quickly as possible. Each incident shall be resolved by the management staff of The Damien Center but may be appealed through the Grievance Committee. All parties involved should be notified in writing regarding the end result of the complaint.