Confidentiality

Rhode Island Department of Children, Youth and Families

Policy:100.0000

Effective Date: Sept. 15, 1986 Revised Date: January 22, 1990 Version: 3

The Department of Children, Youth, and Families has an ethical and a legal obligation to keep confidential all information received from and/or about persons with whom the Department is currently and/or was previously involved or otherwise has knowledge. For purposes of this policy and all other policies concerning confidentiality (see within), the Department shall be defined as all current and former employees, agents, student interns, volunteers, contractors, and vendors. Access to confidential information is governed by various State and Federal laws and regulations and by Departmental policy and procedure. Access is limited to authorized individuals and/or agencies/institutions both public and private, on a need and a right to know basis.

The Department has developed the Confidentiality Pledge (DCYF #119) and the Confidentiality Pledge for Student Interns (DCYF #119A) which emphasize that the client's right to privacy must be protected and that unauthorized disclosure of confidential information in any form could result in specific civil, criminal, and Departmental penalties. In signing such a document, employees of the Department and any other individual or group of individuals who have direct access to confidential client information acknowledge and confirm their commitment to the principles and limitations of confidentiality.

The Department acknowledges the need for and seeks to maintain a close and cooperative relationship with the judiciary, elected officials and their agents, state and local authorities, the media, and public and private agencies. While conflicts may arise between maintaining these relationships and safeguarding confidential information, such information shall be released only with the prior written permission from the individual(s) about whom the information is specific, his/her/their parent(s) or legal guardian(s), if a minor, or as otherwise authorized by existing laws, regulations, and/or Departmental policy and procedures.

All client-centered information collected, stored, and/or generated by the Department can be incorporated into one (1) or more of the following eight (8) general categories:

1. Active Case Records.
2. Rhode Island Children's Information System (RICHIST).
3. Masterfile.
4. Youth Correctional Records (Training School, Detention Center, ACE, Probation and Parole).
5. Mental Health Records (Review Team, Children's Mental Health Programs and MHSCY).
6. Adoption/Termination of Parental Rights Records.
7. Community Resources Records (Foster Homes, Emergency Shelters, Group Homes, Day Care Homes, and Day Care Centers).

8. ~~Closed Case Records.~~

~~Although subject to all general limitations prescribed by law and public policy, each also has specific restrictions and criteria regarding access to and release of confidential information. For specific procedures, refer to the following:~~

~~Confidentiality: Access to Information Contained in Departmental Service Records~~
~~Confidentiality: Access to Computerized Information Maintained by the Department~~
~~Requests for Confidential Information Received Through the Call Floor~~
~~Requests for Confidential Information Received Through Masterfile~~
~~Confidentiality: Access to Restricted Information~~
~~Confidentiality: Access to Information Contained in Licensing Records~~
~~Public Information and Relations~~
~~Contents and Format for Departmental Record Keeping~~
~~CASA Volunteers Case Record Access~~

~~This policy and all the above-stated policies conform to all applicable Federal laws and regulations, including the Freedom of Information Act (1966) and the General Privacy Act (1974), and with Rhode Island General Laws governing confidentiality. Any violation of these policies could result in a fine and/or imprisonment as prescribed by law and/or other Administrative sanctions as prescribed by the Department.~~

~~Related Procedures~~

~~Access to Confidential Information~~
~~Disclosure of Information~~

Access to Confidential Information

Procedure From Policy100.0000: Confidentiality

~~The Department of Children, Youth, and Families shall keep confidential all information received from and/or about persons with whom the Department is currently and/or was previously involved or otherwise has knowledge.~~

1. ~~Access to such information is governed by various State and Federal laws and regulations and by Departmental policy and procedure.~~
2. ~~Access is limited to authorized individuals and/or agencies/institutions, both public and private, on a need and a right to know basis.~~
3. ~~Departmental employees and any others who have direct access to confidential client information shall sign a Confidentiality Pledge (DCYF #119) and Student Interns shall sign a Confidentiality Pledge (DCYF #119A) as affirmation of their understanding and commitment to the principles and limitations of confidentiality.~~

Disclosure of Information

Procedure From Policy100.0000: Confidentiality

The procedure for disclosure of specific case information to anyone is dependent upon the type of information requested, the current status of the case, who requests the information, how the information is requested, and to whom the request is made.

Unauthorized disclosure of confidential information could result in a fine and/or imprisonment as prescribed by State and Federal laws and/or other Administrative sanctions as prescribed by the Department.

For details, refer to the following policies.

Active Case Records

Confidentiality: Access to Information Contained in Departmental Service Records
Confidentiality: Access to Computerized Information Maintained by the Department
Requests for Confidential Information Received Through Masterfile
Confidentiality: Access to Restricted Information
Public Information and Relations
CASA Volunteers Case Record Access

RICHIST

Requests for Confidential Information Received Through Masterfile
Confidentiality: Access to Computerized Information Maintained by the Department
Confidentiality: Access to Restricted Information
Requests for Confidential Information Received Through the Call Floor
Public Information and Relations

Masterfile

Confidentiality: Access to Computerized Information Maintained by the Department
Confidentiality: Access to Information Contained in Departmental Service Records
Confidentiality: Access to Restricted Information
Requests for Confidential Information Received Through Masterfile
Public Information and Relations

Youth Correctional Records

Confidentiality: Access to Information Contained in Departmental Service Records
Confidentiality: Access to Restricted Information
Public Information and Relations

Disclosure of Information

Procedure From Policy100.0000: Confidentiality

~~Requests for Confidential Information Received Through Masterfile~~

~~Requests for Confidential Information Received Through the Call Floor~~

Confidentiality: Access to Computerized Information Maintained by the Department

~~**Mental Health Records**~~

~~Confidentiality: Access to Information Contained in Departmental Service Records~~
~~Confidentiality: Access to Restricted Information~~

~~**Adoption/Termination of Parental Rights**~~

~~Confidentiality: Access to Information Contained in Departmental Service Records~~
~~Confidentiality: Access to Restricted Information~~

~~**Community Resources Records**~~

~~Confidentiality: Access to Information Contained in Licensing Records~~
~~Confidentiality: Access to Restricted Information~~

~~**Closed Case Records**~~

~~Confidentiality: Access to Information Contained in Departmental Service Records~~
~~Confidentiality: Access to Computerized Information Maintained by the Department~~
~~Requests for Confidential Information Received Through Masterfile~~
~~Confidentiality: Access to Restricted Information~~
~~Public Information and Relations~~