

HOUSTON REGIONAL HIV/AIDS RESOURCE GROUP, INC.
SUBRECIPIENT REQUIREMENTS
POLICY AND PROCEDURE

SUBRECIPIENT EXCHANGE/RELEASE OF INFORMATION (SR-1704)

EFFECTIVE DATE: May 17, 2004

PURPOSE:

To establish the criteria required for the exchange and/or release of confidential client information in the course of service provision by a Subrecipient.

DEFINITIONS:

Subrecipient is an agency that has entered into a grant agreement with The Resource Group to provide services.

Confidential Client Information is any information that might disclose a client's identity including, but not limited to, client name, address, phone number, social security number, or other identifying information.

Client is an individual seeking services from a funded Subrecipient. For the purpose of these policies, client includes legal guardians and/or powers of attorneys.

POLICY:

Each Subrecipient that receives funding from The Resource Group must establish a procedure for releasing confidential client information and an Exchange/Release of Information form. This form is designed to document client's informed consent for confidential client information to be disseminated by the Subrecipient and protects the Subrecipient from violating applicable HIV confidentiality laws.

PROCEDURE:

1. Upon receiving funding from the Resource Group, the Subrecipient must develop a policy that covers the exchange/release of confidential client information.
2. The policy should require the Subrecipient staff to obtain the informed written consent of a client prior to releasing or exchanging confidential client information with a third party.
3. The policy should include a provision that allows the Subrecipient to, under emergency conditions such as a life-threatening situation or when a client's condition precludes the possibility of obtaining written consent, provide pertinent information to the medical personnel responsible for the client's care. The staff member responsible for the release of this information shall enter all pertinent information about the transaction into the client's client record.
4. The policy should also address the Subrecipient's requirement to provide information under circumstance involving a court order or subpoena.
5. As part of that policy, the Subrecipient must develop a written consent for the exchange/release of information form that includes the following required elements:

- Name of agency/agencies to which the information is disclosed
 - General information to be disclosed
 - General purpose of disclosure
 - Signature of client and date the consent was signed
 - Expiration date (no greater than two years from date of original signed consent)
6. When client information is disclosed, the client record must contain the following:
- The consent to release information
 - The actual date the information release
 - The signature of the staff member disclosing the information
7. Clients must be allowed to withdraw their consent to exchange/release information to any individual or organization at any time. This withdraw of permission should be documented within the file.