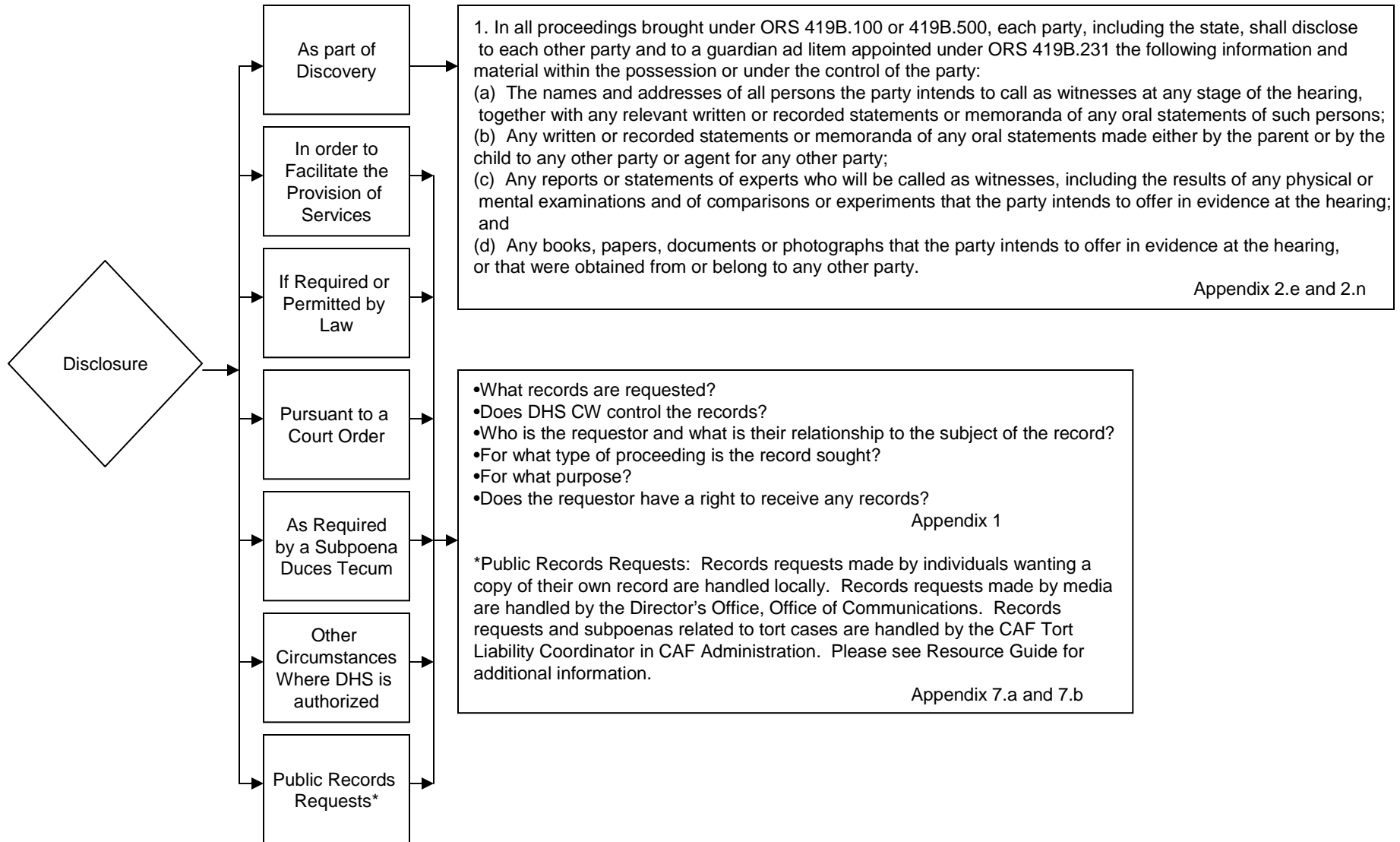


Disclosure Analysis Guidelines Summary Diagram

What type of disclosure is being requested?
Appendix 6



**Additional important considerations
to complete 2099 (authorization)
Appendix 5.a and 5.b**

<p>In order to Facilitate the Provision of Services</p>	<p>Authorization from client must be specific to each individual provider identifying specific information to be disclosed. If the records being released contain HIV/Aids, mental health, alcohol & drug and/or genetic testing information, the client must initial in section A of authorization (2099)</p> <p style="text-align: right;">Appendix 5.a, 5.b and 9</p>
<p>As part of Discovery</p>	<p>Authorization needed from client to disclose HIV/Aids, alcohol & drug and/or genetic testing information to juvenile court and all legal parties. The client must initial in section A of authorization (2099)</p> <p style="text-align: right;">Appendix 5.a, 5.b and 9</p>
<p>In Response to Client/Public Records Requests</p>	<p>Client requests for their own information do not require an authorization (2099) and are handled locally. Records requests made by media are handled by the Directors Office, Office of Communications. Records requests and subpoenas related to tort cases are handled by the CAF Risk Management Tort Liability Coordinator in CAF Administration.</p>
<p>If Required by Law</p>	<p>Authorization needed from client to disclose HIV/Aids, alcohol & drug and/or genetic testing information. The client must initial in section A of authorization (2099)</p> <p style="text-align: right;">Appendix 5.a, 5.b and 9</p>
<p>Pursuant to a Court Order</p>	<p style="text-align: center;">Not Required</p>
<p>As Required by a Subpoena Duces Tecum</p>	<p style="text-align: center;">Not always required but authorization may permit release of information that is subject to the subpoena.</p>
<p>Other Circumstances Where DHS is Authorized</p>	<p style="text-align: center;">Consult with DHS paralegal and/or AAG</p>

Under what authority/circumstances can a document or information be released?

Document or Information:

Information can be released with any one of the following:

Identify the documents/ information to be released

HIPAA Protected Health Information

- 1) Court order
- 2) Required by law, for example 419B.881 and 409.225
- 3) Pursuant to a properly executed subpoena
- 4) Authorization (2099) Appendix 2.e and 3

Federally Protected Alcohol & Drug (42CFR)

- 1) Court order
 - 2) Authorization (2099)
- Appendix 2.a, 3 and 9

Domestic Violence Victim Contact and/or Identifying information

- 1) Court order
 - 2) Authorization (2099)
- Appendix 2.o, 2.p and 2.q

Information Gathered During CPS Assessment

- 1) Court order
 - 2) 419B.035(1) and (3)
 - 3) 307 Memo
- Appendix 2.b, 3 and 7.d

Reporting Party of Child Abuse

- 1) As part of a cross report to law enforcement
 - 2) For calling a witness in a juvenile court case
 - 3) Court order
- Appendix 3 and 7.e

Foster Certification Records

- 1) Court order
 - 2) Authorization (2099)
 - 3) Public records request
- Appendix 7.a

Foster Parent Name, Address and other Identifying information

- 1) Court order
 - 2) 418.642
- Appendix 2.f

Adoption Records

- 1) Court order
- Appendix 3 and 7.e

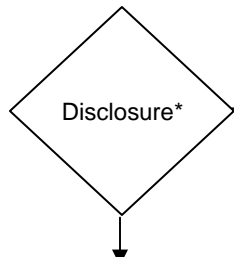
Privileged information between DHS and DOJ

Never released to anyone other than the Department of Justice

Pleadings, affidavits, motions, orders, Petitions and judgments

- 1) As described in 419A.255 and 419A.257
 - 2) Court order
- Appendix 2.g and 2.k

What information must be redacted no matter where it is located in any document?



Always redact:

- Name of reporting party of child abuse and identifying information from all sections of the 307 (exception: permitted to include this information as part of cross report to Law Enforcement)
- Privileged information between DHS and DOJ

*Public records requests made by anyone other than the client are handled by the Directors Office, Office of Communications or the CAF Tort Liability Coordinator. See section 1 of Resource Guide for more information.

2099 (authorization) Not Required although bulleted items must be redacted

2099 (authorization) Required and bulleted items must be redacted

As part of Discovery

- Remove confidential/protected information regarding anyone other than the client unless required by 419B.881
- Remove foster parent contact information
- Domestic violence case: remove victim contact information and/or identifying information

Public Records Request made by Client

- Remove confidential/protected information regarding anyone other than the client or their legal minor children
- Remove the child's information if the child objects or disclosure would be contrary to the best interest of any child or could be harmful to the person caring for the child

Pursuant to a Court Order

As Required by a Subpoena Duces Tecum

- What needs to be redacted is dependent upon our response to the subpoena

If Required or Permitted by Law

In order to Facilitate the Provision of Services

- Remove confidential/protected information regarding anyone other than the client

Other Circumstances where DHS is Authorized

- These circumstances should be reviewed with DHS paralegal and/or AAG