



Data Privacy and Client's Access to Records Policy

1. The staff should be constantly aware that entries made in a client's record may be ultimately reviewed by that individual. Caution should be exercised whenever unsubstantiated information, opinions, value judgments or third party complaints are entered into a client's record. Such information should only be entered in the record when deemed absolutely necessary and in the best interest of the client.
2. All data of a negative nature entered into a client's file should be independently verified. If it has not yet been verified, that fact should be duly noted in the file. This lack of verification should also be noted when any such information is disseminated from the file.
3. A copy of the Client's Rights will be given to the client or guardian annually. The written handout will be given out during the annual meeting, or whenever information is requested from the consumer or guardian.
4. Client's Rights under Minnesota Data Privacy Act:

The Minnesota Data Privacy Act (Minnesota Statutes, Chapter 13) requires that we inform you that the information we are asking you to provide is necessary for the effective administration of the services for which you are applying or receiving. The collection of this information is required by federal regulation, state law and/or Department of Public Welfare rules and regulations. Failure to provide this information could make you ineligible for the services which you have requested. The information collected will only be used by authorized Agency personnel. Use of this information for purposes other than explained herein will not be made without your prior written approval, unless such other use is specifically authorized by law. You also have a right to review any information, which is maintained by the Agency about you, as provided for in Chapter 13.

5. The client or guardian has control over the transfer, use and destruction of this information unless it conflicts with applicable laws or regulations. Data covered by Minnesota Statutes, Chapter 13 includes the transmission of verbal as well as written data. No one will be granted access to private records except the program staff responsible for the records and the individual on whom the records are maintained. All Opportunity Services records will be classified as "private" unless otherwise specified by law.

6. A current "Consent to Release/Obtain Private Data" will be maintained for the clients current team members. The program staff will log all information release to the current team members on the clients HIPAA log. The consent will be maintained in the client's permanent file.
7. All individual requests (outside of the client's team) for access to records should be made in writing. Approval for a request for access to data will be made by a manager. Access will be permitted immediately when possible in the presence of a staff member. In no case will access be delayed longer than seven (7) calendar days.
 - ❖ No information will be given to any agency or individual without the written consent of the client or guardian. The consent will specifically state what information can be released and to what agency. The release will be placed in the file as a record of the information released.
 - ❖ All information released shall be logged on the client's HIPAA log in the client's permanent file with the release. Management staff must approve the transmittal of information to assure compliance with the data privacy laws.
8. All consent forms are valid for one year.