CRCG Confidentiality Policy

Community Resource Coordination Groups (CRCGs) must have a written policy to ensure the confidentiality of people and families they serve. CRCGs must also have a confidentiality agreement and procedure to ensure that participating CRCG leaders, members, guests, people and families sign the agreement in all CRCG meetings.

CRCGs may use this document as is or use its language to create a customized version.

Definitions

CRCG members: CRCG members include, but are not limited to, representatives from state agencies, private sector provider organizations, nonprofit organizations, faith-based groups, community organizations and people with lived experience.

CRCG guests: An individual who is not a CRCG member but participates in a CRCG meeting to support, represent or assist the person or family whose needs are being discussed. Guests may include, but are not limited to, parents, guardians, caregivers, family members, advocates or other people authorized by the person or family.

People and families: Person or persons served by a CRCG.

Purpose

The purpose of this policy is to ensure local CRCGs have procedures in place to maintain the confidentiality of the protected information of the people and families they serve. Protected information includes the following:

- Client information, including personal identifying information and sensitive personal information defined by Chapter 521, Texas Business and Commerce Code.
- Protected health information (PHI), including electronic protected health information and unsecured protected health information, as defined in Title 45, Code of Federal Regulations, Section 160.103 of the Health Insurance Portability and Accountability Act (HIPAA).

- Federal tax information defined in Internal Revenue Service Safeguards Program.
- Social Security Administration data, including records, information or data provided by the Social Security Administration to Health and Human Services for its administration of federally funded benefit programs under the Social Security Act Title 42, United States Code including, without limitation, Medicaid information.
- Education records as defined by the Family Educational Rights and Privacy Act, Title 34, Code of Federal Regulations, Part 99.
- Information designated as confidential under the Constitution and laws of the state of Texas and of the United States, including, without limitation, Chapter 181, Texas Health and Safety Code, relating to medical records privacy, and Chapter 522, Texas Government Code.

Policy

It is the policy of all local CRCGs to follow state and federal laws pertaining to confidentiality. Local CRCGs recognize and protect each person's and family's right to confidentiality. This right cannot be abridged except in cases required by law, such as a person's expressed intent to harm self or others, or a client's report of abuse.

Procedure

1. CRCG members and guests must sign a confidentiality agreement stating they will maintain the confidentiality of information and documents provided to the CRCG as bound by state and federal law. A member's breach of this agreement will result in the termination of their membership to the CRCG and may result in the revocation of their professional license(s).
2. People and families who attend a staffing may elect to sign a Release of Information form authorizing the release of confidential information to the CRCG. People and families may choose not to disclose certain information to the CRCG or may restrict disclosure to specific CRCG members. If representatives have questions about the appropriate procedure, forms or protocol for securing releases, they should seek direction from their own agencies.

3. At the beginning of each staffing, the CRCG chair or leader will explain to the person or family their right to confidentiality, including instances in which this right must be abridged.
4. A person's or family's information will not be released to any other party without the person's or family's written consent.
5. Files containing confidential information will be stored in a locked cabinet behind a locked door. All files pertaining to a staffing will be kept by the CRCG for two years from the date of the final follow-up. After this time, documents containing sensitive and confidential material will be destroyed.