



<b>VOLUME 6: HEALTH INFORMATION MANAGEMENT</b>	Effective Date: 01/2002
<b>CHAPTER 4</b>	Revision Date: 08/2016
<b>6.4.1 RELEASE OF INFORMATION POLICY</b>	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**I. POLICY**

California Correctional Health Care Services (CCHCS) Health Information Management shall:

- Ensure established statutes which provide confidentiality protections for patients are followed.
- Ensure all authorizations and releases are compliant with federal, state, and CCHCS statutes and regulations prior to processing the requests.
- Ensure applicable regulations are followed governing the release of alcohol and/or drug treatment, human immunodeficiency virus test results, and Mental Health information.
- Accept and process qualifying state, federal, civil, criminal, deposition, and arbitration subpoenas while ensuring the required timeframes are met throughout the process, and provide only the records specifically requested in the subpoena and only those that are authorized to be released.
- Establish a dedicated telephone Release of Information Access Line or extension at each institution for the use of an authorized family member, friend, or legal representative of the patient to request health care information relating to a significant change in the patient’s health care condition or status.

**II. PURPOSE**

To ensure patient health information is protected and released according to state and federal rules, laws and regulations.

**III. APPLICABILITY**

This policy applies to all health care staff who respond to requests for patient health information.

**IV. RESPONSIBILITY**

- Under the direction of the Deputy Director, Medical Services, HIM Headquarters, Institution Health Records (for currently incarcerated inmates), and Health Record Center staff (for paroled or discharged inmates) are responsible for the oversight, implementation, monitoring, and evaluation of this policy.
- The Chief Executive Officer or designee, Health Records Technician III, and Health Records Technician II of each institution are responsible for the implementation, monitoring, and evaluation of this policy.

**V. REFERENCES**

- Code of Federal Regulations, Title 42 (Part 2), Confidentiality of Alcohol and Drug Abuse Patient Records, Sections 2.1-2.67
- Code of Federal Regulations, Title 45, Section 164.501 Definitions

# **CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES**

- Health Insurance Portability and Accountability Act of 1996
- California Code of Regulations, Title 22, Section 79803 Health Record Service, and Section 79807 Patient Health Record Availability
- California Civil Code, Section 56.1007 and Section 2029
- California Civil Code, Section 56-56.07, California Confidentiality of Medical Information Act
- California Hospital Association Consent Manual, 2010, Chapters 15, 16, and 17
- California Welfare and Institutions Code, Division 5, Part 1, Sections 5000-5121 Lanterman-Petris-Short Act
- Department of Health and Human Services, Section 164.520 Notice of Privacy Practices for Protected Health Information
- California Correctional Health Care Services, Inmate Medical Services Policies and Procedures, Volume 13, Privacy