

## Request and Release of Health Information and Records (Title 15, Section 1408, 1408.5; NCCHC)

### 732.1 PURPOSE:

To establish guidelines regarding the health records of youth residing or who have resided in Juvenile Detention and Assessment Centers (JDACs) and Treatment Facilities (TFs) and ensure the health records are requested and/or released in accordance with local, state, and federal regulations.

### 732.2 RESPONSIBILITIES:

- I. Medical Services/ Forensic Adolescent Services Team (FAST) Personnel:
  - A. Request for health information/records:
    1. Complete a Request for Health Information form in the electronic health record and obtain the required signatures when applicable.
    2. Submit the request to the providing agency and include the following:
      - (a) Medical Consent: Order Permitting the Administration of Psychotropic Medications-W&I 602 if requested by a mental health provider or;
      - (b) Medical Consent: Order Permitting Medical Examinations, Immunizations, and Medical Treatment if requested by a medical provider.
    3. Resend a request when records are not received by seven (7) days after the date of the initial request.
    4. Chart check the status of non-receipt with the physician/provider or psychiatrist in the event records are not received within two (2) weeks from the date of the initial request.
    5. Ensure physician-to-physician requests are signed by the physician/provider, psychiatrist, or facility clinical staff before requesting health records.
    6. Include documentation of the pending requests in the health record in the event a youth is transferred inter-facility.
  - B. Release of health information/records:
    1. A health care provider may share information face-to-face, over the phone, or in writing if the patient:
      - (a) Gives the provider permission to share the information.
      - (b) Is present and does not object to sharing the information.
      - (c) Is not present and the provider determines, based on professional judgment, that it is in the patient's best interest.

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2. Obtain a signature from the youth/parent/legal guardian for the consent to release information/records when records/information is requested from an outside agency.
  3. Complete an Authorization for Release of Information form in the health record when a youth/parent/guardian requests records to be released.
  4. Ensure an authorization for Release of Information form is completed for each instance a youth is requesting a more in-depth explanation of their health information be relayed to the parent/guardian.
  5. Submit the records to be released to the Supervising Correctional Nurse/FAST Clinic Supervisor for review and approval before releasing.
  6. Scan the completed Authorization for Release of Information form in the youth's health record and complete documentation to identify the records that were released.
- C. Release approved health information/records as follows:
1. Only the specific records that are requested.
  2. Only those that are generated by the respective departments (Medical/FAST).
  3. Identify the individual to whom the records are being released via driver's license/legal identification card and obtain a copy of the identification before providing the records.
- D. Transfer of health information/records:
1. Provide a comprehensive health summary or documentation that no record exists to accompany the youth when transferred to the health care staff of the receiving facility.
- II. Supervising Correctional Nurse /FAST Clinic Supervisor/Designee:
- A. Review and approve the health information/records to be released to medical services or FAST personnel as applicable.
  - B. Obtain approval from the Health Service Manager/Juvenile Justice Program Manager when records are requested for legal purposes.
  - C. Review health records and release form request to ensure accuracy.
- III. Health Services Manager/Juvenile Justice Program Manager/Designee:
- A. Review health records requests and authorize the release of information when appropriate.
  - B. Consult with County Counsel and/or the Professional Standards Unit before releasing health records when deemed necessary.
  - C. Monitor compliance with this procedure by periodic review of logs, incident reports, safety reviews, and other safeguards conducted in the normal course of business on a weekly, monthly, and yearly basis.

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#### **732.3 GUIDELINES:**

- A. Healthcare providers may release protected health information to other healthcare providers without patient consent for the purposes of continuity of care.
- B. Licensed health care staff may request records from an outside agency without the order of a physician/provider or psychiatrist for continuity of care.
- C. Release of immunization records does not require authorization from a youth/parent/legal guardian.
- D. A health care summary and relevant records are forwarded to health care staff in receiving facilities when a youth is transferred to another jurisdiction, and to the local health office, when applicable.
- E. After youth are released to the community, health record information shall be promptly transmitted to specific physicians or health care facilities in the community, upon request and with the written authorization of the youth and/or parent/guardian.
- F. Maintain confidentiality of health records.