

# Boulder County AIDS Project BCAP Policies & Procedures Handbook v5 – Confidentiality Agreement

## *Attachment D – Confidentiality Agreement*

### **BOULDER COUNTY AIDS PROJECT**

#### ***Policy on Confidentiality***

Confidentiality is a fundamental policy at BCAP. Staff, Board and Volunteers are instructed that the following information is confidential:

- The fact that someone:
  - is a client, has AIDS, is HIV positive, is HIV negative, has been tested for HIV antibodies, is Hepatitis C positive, is Hepatitis C negative, has been tested for Hepatitis C, has participated in BCAP's Syringe Exchange Program.
  - has a family member who fits in any of the above categories
  - is a donor who has requested to remain anonymous/confidential
  - has been at BCAP (whether to receive services or not)
- Any personal information about a client, board member, volunteer, or staff person, including, but not limited to:
  - medical condition
  - medical, psychological or holistic treatments
  - finances or insurance arrangements
  - living arrangements
  - employment (except BCAP staff)
  - sexual orientation or activity
  - relations with biological family members, partners or friends

All staff, clients and other callers have the right to expect that BCAP will maintain confidentiality of information, documentation, and records pertaining to the services except as otherwise provided by law<sup>1</sup>. Clients will be asked to sign specific releases of information for any records, documentation or information to be shared with any other individual or agency. (This does not apply to any statistical data for constituents which may be required by funding agencies where the client's identifying information is not made known).

The above confidentiality policy applies equally to electronic record maintenance, paper record maintenance, the transport of records, and email communications.

#### **For electronic record maintenance**

- a. Access to electronic records must be password protected and access is limited to staff members with demonstrated need for the information.
- b. Screensavers on computers must be password protected as well and set for less than 10 minutes.
- c. Staff members must not share passwords for consumer-protected information with anyone.
- d. Passwords must never be sent in email.
- e. Computer files that include client names must be stored only in folders that are not accessible to anyone except BCAP Staff.
- f. Only Staff Members who work directly with clients have access to confidential folders.
- g. Only Staff Members who work directly with clients have access to confidential case management records in the HELIX case management database.

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<sup>1</sup> Legal exceptions to confidentiality rules include circumstances where there may be harm to self or others or suspected or known child abuse. All confidentiality exceptions must be referred to BCAP's programs management team for review and handling.

- h. Computer files that include client names must never be stored on an individual computer desktop.

#### **For paper record maintenance**

- a. All client information must be maintained in a locking file cabinet or drawer within a locked office or room.
- b. All confidential files must be locked in a locking file cabinet at all times other than when immediately in use.
- c. Documents that contain the names of individuals receiving services from BCAP shall not be left on desktops, in mailboxes, or on the printer at the agency.
- d. All written information or lists that contain client(s) private information must be sealed in an envelope or locked in a locking desk or file cabinet at the agency when not in use.
- e. Any superfluous or outdated documentation are maintained a minimum of 7 years and then disposed of with a cross-cutting shredding machine specifically designed for confidential information.

#### **Transport of records from secure office or location**

- a. Electronic files may be TEMPORARILY transported via a password-protected device (USB external drive, etc.)
- b. Once the electronic files have been reviewed or edited, the updates are made to the central database and then deleted (formatted) from the temporary drive
- c. The external drive or data storage device may not leave the possession of the BCAP Staff Member at any time and the Staff Member assumes full responsibility for the protection of the data

#### **Maintenance of personnel files**

- a. All materials must be maintained in a locking file cabinet or drawer within a locked office or room
- b. Files must be locked at all times other than when immediately in use
- c. Any superfluous or outdated documentation is maintained a minimum of 7 years and then disposed of with a cross-cutting shredding machine specifically designed for confidential information
- d. File being transferred from a supervisor to the Human Resources Manager or Executive Director shall be sealed in an envelope

#### **Electronic Communications**

Electronic communication is not a secure form of communication and should be used with caution and discretion.

- a. Email communication. Emails that pertain to clients only include the first two letters of the first name and the first two letters of the second name. Full names of clients must never be included in communication between Staff or between Staff and Volunteers, or to outside providers.
- b. Text messaging. Text messages that pertain to case management clients only include the first two letters of the first name and the first two letters of the second name. Full names of case management clients must never be included in communication between Staff or between Staff and Volunteers, or to outside providers. Text messaging may be used by Staff to confirm appointments with clients who have expressed a preference for text messaging over email or telephone calls. Text messages with clients may not identify BCAP as the sender in the initial message.
- c. Social media messaging – i.e. Facebook, Messenger, Twitter direct messages, or SnapChat. Social media messaging may not be used regarding case management clients. Social media messaging may be used by Staff to confirm appointments with clients who have expressed a preference for text messaging over email or telephone calls. Social media messages with clients may not identify BCAP as the sender in the initial message.