

**AIDS Resource Center Ohio
POLICY ON CONFIDENTIALITY AND SECURITY**

AIDS Resource Center Ohio (ARC Ohio) recognizes that one of the most sensitive aspects of working with people with HIV/AIDS is the matter of confidentiality. Security of any potentially sensitive information is of the utmost importance for all persons associated with ARC Ohio. Our reputation in the community is based on trust and, to maintain that sense of trust, we assure all clients, volunteers, contributors and others complete confidentiality.

At ARC Ohio, maintaining the confidentiality of all sensitive information regarding ARC Ohio clients, volunteers, staff and donors is of the utmost importance. ARC Ohio, and its employees, board of trustees, agents and volunteers are also obligated under federal and state law to protect certain Confidential Information. Therefore, the ARC Ohio board of trustees has adopted the following Policy on Confidentiality and Security, which applies to the board of trustees, staff, agents, contractors and volunteers of ARC Ohio (collectively, "ARC Ohio Personnel").

For purposes of this policy, "Confidential Information" is defined as any information regarding a patient's medical history, mental, or physical condition or treatment, as well as the patient's and/or their family members records, test results, conversations, research records and financial information.

Client Confidentiality

1. Access to client files is granted only to the Client Services Director, Client Services Department staff, and the Executive Director as needed to conduct the business of the agency. Access to specific client information, but not client files, is granted to information/technology and finance staff with supervision from the Client Services Director, the Client Services Department or the Executive Director to conduct the business of the agency.
2. ARC Ohio Personnel may not share Confidential Information about an ARC Ohio client with anyone other than those persons directly involved with the care of that individual and such other persons deemed by the Client Services Director or the Executive Director to have a need to know the Confidential Information.
3. ARC Ohio Personnel must not discuss general information regarding ARC Ohio activities, services or clients (such as "I can't tell you his name, but . . .") with others. Omitting the names of the party(ies) involved does not ensure confidentiality.
4. ARC Ohio Personnel should never confirm to another person, without prior authorization from the Client Services Director or program coordinators, that an individual has been in contact with ARC Ohio.
5. ARC Ohio Personnel shall obtain a signed release of Confidential Information form from any client if disclosure of Confidential Information is deemed necessary or beneficial for ARC Ohio to provide services. ARC Ohio will not disclose Confidential Information regarding a client, except as provided in this policy, without a signed release of Confidential Information form. The following circumstances do not require a signed release of Confidential Information form and ARC Ohio is required to disclose certain Confidential Information.

- Emergencies – When an individual’s condition represents an immediate threat to the physical safety of self or others, Confidential Information may be disclosed which would assist in preventing the danger.
 - Reporting abuse – The duty to report abuse, including abuse of children, elderly persons and adults with mental retardation or developmental disabilities, supersedes any requirements to protect Confidentiality Information.
 - Duty to warn or to prevent injury to third parties – Persons have a duty to warn others threatened by a client under the following circumstances:
 - a. there must be a reasonable basis to believe that injury will occur,
 - b. the threatened injury must be serious and directed to another person, not property,
 - c. the victim must be identified or reasonably identifiable, and
 - d. the victim must be unaware of the threat.
6. Before contacting any client of ARC Ohio, ARC Ohio Personnel must confirm that ARC Ohio has the client’s permission for telephone and/or mail contact. When leaving a telephone message (either on a machine or with a person), ARC Ohio Personnel should not identify him/herself as calling from ARC Ohio without the client’s permission to do so. Instead, the ARC Ohio Personnel should simply leave his or her name and telephone number. Similarly, any material mailed to ARC Ohio clients should not have the name “AIDS Resource Center Ohio,” “ARC Ohio” or any variation thereof, or the agency’s red ribbon logo, or any variation thereof, on the envelope unless we have the client’s permission to send such materials.
7. ARC Ohio case managers often discuss Confidential Information on the telephone. As a result, all ARC Ohio Personnel and others may have only limited access to the Client Services Department work area. In this way, case managers can feel free to conduct the business of the agency without concern for breaching confidence. ARC Ohio Personnel providing tours of the facility SHOULD NOT include the Client Services work area as part of the tour for this reason.

Contributor Confidentiality

1. ARC Ohio Personnel may only grant access to donor records to assigned clerical staff, the Development Director, the Executive Director and his/her designee as needed to conduct the business of the agency.
2. Questions regarding donor information should only be directed to the Development Director and/or Executive Director.
3. ARC Ohio Personnel may NOT to reveal donor identity to anyone, including in newsletters or other public forums, without the express written permission of the individual being recognized.
4. Contributor confidentiality does not extend to grant funders and other organizational bodies who contribute money to AIDS Resource Center Ohio.
5. ARC Ohio Personnel may not share or release donor lists and/or donor information to any other individual or organization.

Volunteer Confidentiality

1. ARC Ohio maintains volunteer records so that interested volunteers may be contacted for various volunteer opportunities that exist within ARC Ohio or for ARC Ohio activities. Only ARC Ohio

Personnel who are responsible for contacting volunteers, and ARC Ohio Personnel who maintain these records may have access to volunteer records.

2. ARC Ohio Personnel should maintain the confidentiality of volunteer names, upon the written request of the volunteer in certain volunteer areas (e.g., speaker's bureau members), however, if desired and expressly stated, first names only can be used to schedule volunteers.

Staff Confidentiality

1. Records regarding ARC Ohio staff are maintained by the human resources manager and are governed by all applicable laws.
2. ARC Ohio Personnel address and home telephone number information is made, on occasion available to other ARC Ohio Personnel. This information is not to be released to anyone without the express permission of the staff member concerned.

I have read the foregoing policy on confidentiality and security and I agree to abide by it. I understand that, if I should be found to be in breach of this policy, my relationship with the AIDS Resource Center Ohio ("ARC Ohio") might be terminated, and additional action may be taken, as required by law.

Print Name: _____

Signature: _____ Date: _____

Role/Relationship _____

Staff/Witness Signature: _____ Date: _____

Updated January 2004 as approved by the Board of Trustees, AIDS Resource Center Ohio