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Data Privacy and Confidentiality

1. T/F There are legal ramifications if these practices are not followed
2. T/F A new provider requests information from another provider and you send them all child file information including primary and secondary source information.
3. T/F A provider cannot require a parent to sign a release so that information about the child such as an evaluation or special education documentation can be obtained.
4. T/F A provider can provide verbal information without a release but needs the release to send written documentation.
5. T/F Confidential data is about individuals that can only be told to the individual
6. T/F Informed Consent is recommended but not required
7. T/F Release of Information forms are for up to one year only

Answers to Quiz Questions:

1. T - A parent can choose legal recourse if information is disclosed and permission was not obtained.
2. F - Only primary information, that which is generated by the agency can be released. The requestor must go to the originator of information for secondary information.
3. T - Consent must be voluntary. There must be no use of coercion or threats in order to get a person receiving services or his or her legal representative to sign a release-of-information authorization.
4. F - Preserving confidentiality and protecting data privacy applies to both written and oral exchanges.
5. F - Confidential data is about individuals that even the individuals themselves cannot be told.
6. F - Consent must be informed. Pertinent legal rights must be explained in a way that ensures that the person who is consenting fully understands the agreement
7. T - The length of time for which this form is valid varies with the situation. Some releases are valid for a one-time release of information. Others can be valid for multiple occurrences up to one year after the form is signed. The State of Minnesota requires that no release be valid for more than one year.