

CORNERSTONE BEHAVIORAL HEALTHCARE

CR. 1 ACCESS TO CLIENT RECORD

Record keeping is of crucial importance to Cornerstone. Records are kept for the purpose of assisting the client or family while services are being provided, as well as documenting the progress of services rendered. After a client is discharged, the record of service is filed in the archival filing section for seven years and then destroyed. In the case of children, the records will be kept for seven years after the client has turned eighteen years of age and will then be destroyed.

Access to client records is limited to:

- the mental health care provider
- the parent advocate assigned to the case (if there is one)
- the clinical director and supervisor
- the individual responsible for quality assurance inspections
- the client and/or legal guardian and custodian
- Medical Records personnel and Billing personnel
- State DHHS Licensing Auditors and Federal CMS Auditors

** Access for all listed above is based on "needs to know".

Information may be released without written informed consent, as provided by Maine statute (34-B M.R.S.A., section 1207, sub-section 1) in the following circumstances:

- See "Rights of Recipients of Mental Health Services who are Children in need of Treatment".
- See "Rights of Recipients of Mental Health Services".
- To Homeland Security as specified under the Patriot Act.

In no case will a client record be released from Cornerstone's office without the consent of the Executive Director.

The procedure for a client/parent/guardian to review his/her files, including before their release, is as follows:

1. The client/parent/guardian will notify Cornerstone in writing of the wish to view the file.
2. An employee from Cornerstone will contact the individual to make arrangements for the individual to view their records within thirty calendar days of such a request.
3. The actual review of the record shall take place in the presence of a clinician from Cornerstone, preferably the clinician who worked with the client.
4. In cases in which there exists a reasonable concern of possible harmful effect to the client, if the review by the client or his or her legally responsible parents, guardians or custodians occurs, the Cornerstone clinician shall supervise the review. In cases where access of the legally responsible parents, guardians or custodians to the client's record would create documented danger to the physical or mental well being of the client, Cornerstone clinician may refuse to disclose a portion of or the entire record to the legally responsible parents, guardians or custodians and such refusal shall be documented in the case record and a copy immediately sent to the Executive Director or designee.

5. When at all possible, the review of record shall take place at the office of Cornerstone.
6. If it is not possible for the client/parent/guardian to come to the office where the record is kept, the individual needs to make his/her own arrangements with a professional to view the file in another town/state. The client/parent/guardian needs to sign the necessary forms for release of information. A certified copy of the file will be forwarded to the designated person who will supervise the review.
7. A client may add written material to his or her record in order to clarify information, which he or she feels, is false, inaccurate or incomplete.
8. Material that was obtained from another individual or facility through assurance of confidentiality shall not be available to the client or the legally responsible client/parent/guardian in reviewing the client's record. A summary description of such information shall be provided to the client or the legally responsible parent, guardian or custodian, and such information shall be provided regarding the process to gain access to such material including aid in securing appropriate release of information.
9. Copies of client record material may be made only after a written release of information has been signed by client/guardian/parent. Once a copy has been made and given to the client, it is the property of the client and it is their responsibility to protect the information. The original release shall be placed in the client's clinical file.
10. A receipt of the record must also be signed by the client/guardian/parent, and they are made aware that Cornerstone BHC can no longer be responsible or accountable for the confidentiality of protected health information under HIPAA for this file.

No case record shall be removed from the offices of Cornerstone without the permission of the Executive Director. If for any reason it is necessary to take a client record from the office for review, the record shall remain the possession of the authorized employee and shall be returned to the office as soon as possible.

Donna M. Ruble vpc 1-8-15
Executive Director/Date

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