

and Human Services, Office of Civil Rights, May, 2003). For a complete summary of the HIPAA regulations and guidelines, go to the U.S. Department of Health and Human Services website.

Guidelines for Authorization to Release-of-Information Form

An authorization is required in most cases for use and disclosure of client protected health information for purposes other than treatment, payment, and health care operations. An authorization must:

- be written in plain language.
- include a description of the protected health information that is to be disclosed.
- identify the person(s) authorized to make the requested use or disclosure.
- identify the person(s) to whom the covered entity can disclose protected health information.
- state the client's right to revoke, in writing, the authorization and any exceptions to this right.
- note that the client's health information may be re-disclosed by the recipient and at that time would no longer be protected by these regulations.
- include an expiration date or event.
- include the client's signature and date.
- provide the client with a copy of the signed authorization (United States Department of Health and Human Services, Office of Civil Rights, May, 2003); for a complete summary of HIPAA regulations and guidelines the US Department of Health and Human Service website.

Guidelines for an Informed Consent Form: 1.03 (NASW Code of Ethics)

- (a) Social workers should provide services to clients only in the context of a professional relationship based, when appropriate, on valid informed consent. Social workers should use clear and understandable language to inform clients of the purpose of the services, risks related to the services, limits to services because of the requirements of a third party payer, relevant costs, reasonable alternatives, clients' right to refuse or withdraw consent, and the time frame covered by the consent. Social workers should provide clients with an opportunity to ask questions.
- (b) In instances when clients are not literate or have difficulty understanding the primary language used in the practice setting, social workers should take steps to ensure clients' comprehension. This may include providing clients with a detailed verbal explanation or arranging for a qualified interpreter or translator whenever possible.
- (c) In instances when clients lack the capacity to provide informed consent, social workers should protect clients' interests by seeking permission from an appropriate third party, informing clients consistent with the clients' level of understanding. In such instances social workers should seek to ensure that the third party acts in a manner consistent with clients' wishes and interests. Social workers should take reasonable steps to enhance such clients' ability to give informed consent.

- (d) In instances when clients are receiving services involuntarily, social workers should provide information about the nature and extent of services and about the extent of clients' right to refuse service.
- (e) Social workers who provide services via electronic media (such as computer, telephone, radio, and television) should inform recipients of the limitations and risks associated with such services.
- (f) Social workers should obtain clients' informed consent before audiotaping or videotaping clients or permitting observation of services to clients by a third party (NASW, 2011, section 1.03).

An exception does allow providers to disclose clients' protected health information prior to obtaining consent for "emergency treatment situations." As noted in the July 2001 HHS guidance, health care providers need to exercise their professional judgment in making this determination. The provider is expected to obtain consent as soon as is reasonable and practical after the provision of services.

A provider can refuse to treat a patient who is unwilling to provide consent for disclosure of protected health information for treatment, payment, and health care operations.

A provider only needs to obtain the client's written consent one time (NASW, 2011).

Privacy and Confidentiality: 1.07 (NASW Code of Ethics)

- (a) Social workers should respect clients' right to privacy. Social workers should not solicit private information from clients unless it is essential to providing services or conducting social work evaluation or research. Once private information is shared, standards of confidentiality apply.
- (b) Social workers may disclose confidential information when appropriate with valid consent from a client or a person legally authorized to consent on behalf of a client.
- (c) Social workers should protect the confidentiality of all information obtained in the course of professional service, except for compelling professional reasons. The general expectation that social workers will keep information confidential does not apply when disclosure is necessary to prevent serious, foreseeable, and imminent harm to a client or other identifiable person. In all instances, social workers should disclose the least amount of confidential information necessary to achieve the desired purpose; only information that is directly relevant to the purpose for which the disclosure is made should be revealed.
- (d) Social workers should inform clients, to the extent possible, about the disclosure of confidential information and the potential consequences, when feasible before the disclosure is made. This applies whether social workers disclose confidential information on the basis of a legal requirement or client consent.
- (e) Social workers should discuss with clients and other interested parties the nature of confidentiality and limitations of clients' right to confidentiality. Social workers should review with clients circumstances where confidential information may be requested and where disclosure of confidential information may be legally required. The discussion should occur as soon as possible in the social worker-client relationship and as needed throughout the course of the relationship.
- (f) When social workers provide counseling services to families, couples, or groups, social workers should seek agreement among the parties involved concerning each