

# MACMHB

## State Training Guidelines Workgroup

### Training/Curriculum Recommendations

The intent of this Training Guideline is for the development and presentation of training content. Curricula based on this guideline will contribute to statewide uniformity, reciprocity, and portability.

Copyright 2012

#### **Topic: *HIPAA/Privacy/Confidentiality***

#### **Defining Paragraph** (Vision, Boundaries, Overall Outcome Statement):

The understanding of confidentiality requirements as it pertains to protected health information. HIPAA privacy and security are both addressed with particular attention to electronic communication such as e-mail, internet, fax, etc. as well as other forms of communication. Special considerations regarding electronic health records will be discussed.

#### **Definitions:**

**Content**– These are a listing of the areas covered in the subject.

**Outcomes/Competencies** – These are statements about what participants will be able to do as a result of having participated in the course. Please indicate expectations and minimum competency criteria.

#### **Content:**

1. Definition of HIPAA privacy and HIPAA security
2. Confidentiality and informed consent; applying it in appropriate contexts
3. How to release information legally
4. When information regarding clients can be discussed and what information cannot be discussed
5. HIPAA requirements
6. Mental Health Code requirements

#### **Outcomes/Competencies:**

1. Participants will be able to describe confidentiality and informed consent and pass testing for understanding with a minimum score of 80%.

2. Participants will be able to describe how to release confidential records, and pass the test with a minimum score of 80%.
3. Participants will be able to provide examples of when they can discuss client information and in what settings they cannot and pass the test with a minimum score of 80%.

**Outline/Recommendations:**

1. Differentiate between HIPAA privacy and security
2. Define confidentiality and informed consent
  - a. Overview and discussion of situations
  - b. Review HIPAA requirements
  - c. Review Mental Health Code and other legal requirements
3. Examine requirements related to electronic communications, including electronic health records
4. Small workgroups to discuss prepared scenarios – report to class what is incorrect and what correct outcomes/expectations would be in the scenario

**Trainer Qualifications:**

Check all that apply, be specific (years, degree, skills, etc):

- College Degree:
- License:
- Years Experience (please specify below): 2+ years in working with informed consent and confidentiality issues
- Documented Skill Set:
- Training Experience (see below)
- Trainer in Adult Learning Styles/Methods:
- Other: Experienced trainer with content expertise and/or access to content expert.

**Specified experience:**

Has overseen or supervised the process of releasing information. Has a very good knowledge of confidentiality and the requirements for such. Knows the mental health code and its implications for confidentiality.

**Length of Training:**

Length of training should be one to two hours. An overview and discussion of scenarios will occur. Small group work will go over case studies and report back to the group. Testing will occur.



- Adult Foster Care staff
- Respite Service staff
- Self-Determination staff
- Home-based services staff
- Foster Family Group Home staff
- Child-caring Institutions (Children's Group Home) staff
- Other employee group (specify): support staff
- Other employee group (specify):

**Frequency:**

It is recommended the content be reviewed/retaken:

- Initial
- Annual
- Every two years
- As needed: as required by performance evaluation
- Other:

**Additional Comments:**

**References/Legal Authority:**

- 1) R 330.1801 et. seq.
- 2) MCL 400.710(3)
- 3) HIPAA
- 4) Mental Health Code
- 5) Prevailing State Guidelines and Practice Protocols

Note: If training is for an adult foster care facility/home adult foster care staff must also comply with the adult foster care administrative rules. In addition, in those situations where the contents of the training conflict with an administrative rule, the rule prevails.