



## **CONFIDENTIALITY POLICY**

Employees, interns, volunteers, and all persons affiliated with the Your Access Advocates, Inc., have a responsibility to assure that consumers' and employees' information remains confidential. Discussing confidential information at work or elsewhere about consumers and employees violates a trust and the individual's legal right to confidentiality.

Any person associated with the agency who has access to consumer and employee information must protect the security of the access to the information and maintain confidentiality of the information. All persons associated with the agency are strictly prohibited from seeking or providing confidential information, unless it is a necessary function of their jobs. Any violation of this policy is cause for immediate dismissal.

However, Massachusetts State Law specifies certain circumstances when professionals may be required to disclose confidential information. These include the following circumstances:

- a. An individual is judged to pose a danger to self.
- b. An individual communicates his/her intent to harm another identified individual. The law requires that the identified victim(s) be warned and/or that information be released (e.g., to police authorities) to protect the potential victim(s).
- c. If a provider know or suspects that a child under the age of 18 is being sexually, physically, or emotionally abused, or neglected, he/she is mandated by state law to file a report (51A) with the Department of Children and Family Services (DCFS).
- d. If a provider knows or suspects that a physically or mentally disabled person between the ages of 18 and 59 is being sexually, physically, or emotionally abused, financially exploited, or has died, he/she is mandated by state law file a report (19C) with the Disabled Persons Protection Commission
- e. If a provider knows or suspects that an elderly person (i.e., age 60 and older) is being physically or emotionally abused, financially exploited, or has died as a result of abuse, he/she is mandated by state law to file a report with the Executive Office of Elder Affairs.
- f. A judge orders a provider to disclose confidential information. In appropriate instances, provider's legal counsel, the individual's legally authorized representative, and the MRC legal office may be notified of this request, prior to the release of confidential or protected health information.

A resource and advocacy center for independent living serving people with disabilities and the Deaf & hard of hearing in Central Massach