

Module 10: Confidentiality



Ideally, families, school staff and behavioral health providers are actively communicating about a student's care. It is important to remember though that there is information in both school and behavioral health records that must be kept confidential. School staff and providers must follow their own confidentiality policies and procedures, which should be discussed at the Annual SchoolLink Meeting.

Below are examples of information that can and cannot be shared. This is not intended to be an exhaustive list, but rather a sample.

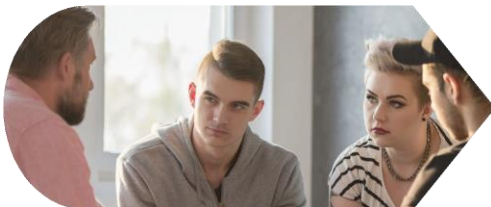
What information can the behavioral health provider share with school staff?



Status of treatment (pending consent, ongoing, completed)



Treatment goals (increase emotional awareness, learn and practice coping skills, improve frustration tolerance, strengthen communication)



Treatment modality (individual, family, and group therapy.)



Whether the student is participating in treatment



Whether the student is responding to treatment



Information identified on an authorization to disclose information form signed by the legal guardian

What information is the behavioral health provider NOT able to share with school staff?



Written treatment records (including drug testing results unless explicitly authorized in written consent)



Personal or family information disclosed during the session



Details about what the student does and says during treatment



Copies of suspected child abuse or neglect reports filed by the provider

What information can school staff share with the behavioral health provider?

- School staff's observations and concerns related to the student
- Information requested on the SchoolLink Referral Form
- Student contact information and class schedule
- School records listed on a signed form authorizing the release of records
- Additional details the family agrees to share as documented on a signed disclosure of information form

What information is the school staff **NOT** allowed to share with the behavioral health provider?

- Open access to school records
- Student Social Security numbers
- Individual Education Plan (IEP). It is fine if the family decides to share this information on their own with the provider.

Confidentiality

Finish reading the scenarios, and then answer the questions, True or False?

Answers can be found on the bottom of page 4.

SCENARIO 1

Lyle is providing therapy services to Michelle and is pleased with her progress. He meets with the school counselor and explains that Michelle is practicing two breathing techniques. He notices considerable improvement and expresses how optimistic Michelle is feeling about her treatment plan.

In this scenario, Lyle has maintained standards of confidentiality. True or False?



SCENARIO 2

Lyle is providing therapy services to Michelle and is pleased with her progress. He meets with the school counselor and explains that one of the main reasons Michelle is anxious is that her mom is an unstable alcoholic. She's working to overcome her anxiety, especially in the evening, by practicing two breathing techniques. He notices considerable improvement and expresses how optimistic Michelle is feeling about her treatment plan.

In this scenario, Lyle has maintained standards of confidentiality. True or False?



The Family Educational Rights and Privacy Act (FERPA) protects the privacy of students' personal records held by 'educational agencies or institutions' that receive federal funds under programs administered by the U.S. Secretary of Education. [FERPA Basics | California School-Based Health Alliance](#)

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule is a federal law that protects the privacy of patient health information held by 'covered entities.' [HIPAA Basics | California School-Based Health Alliance](#)

[Key Points about HIPAA and FERPA in California | California School-Based Health Alliance](#)

Behavioral health services: A continuum of prevention, intervention, treatment and recovery support services for mental health and substance use.

County-funded: Services funded through the County of San Diego's Health & Human Services Agency's Behavioral Health Services Division.

Provider: Unless otherwise specified, a County-funded behavioral health provider.

Answers to Confidentiality Scenarios (p. 3)

- Scenario 1: *True*
- Scenario 2: *False*

Administrative Information

For administrative information or to provide feedback about the [SchoolLink training program](#), please email BHSContaktUs.HHSA@sdcounty.ca.gov with subject line: SchoolLink