

Confidentiality and HIPAA

Wisconsin Law (Wis. State Statute §51.30) and Federal HIPAA* Privacy Rules are very clear – at no time may any protected health information be shared with anyone without prior consent of the client or his/her legal decision-maker.

Self-Directed Supports (SDS) employees must honor the confidentiality of their clients/employers. *Never* discuss member-specific information in a public place. *Never* engage in social conversations about the person or their family, their health/medical history, status, or habits.

Any written person specific information received must be kept in a safe place and should not be available to anyone else.

The best response if someone asks a question related to a member's personal information: *"I am sorry, I can't share any specific information due to confidentiality laws. I am sure you can understand..."*

Exceptions to the Rule:

- Health care professionals may share a person's medical information, but only among themselves and only as much as is necessary to provide medical care;
- Discussing a person's progress and supports with the agency that provides funding – to ensure the right supports are provided and to maintain program integrity.
- Reporting suspected abuse or neglect.

Breaking confidentiality is serious and can result in legal action, including fines and termination of employment.

*HIPAA is the Health Insurance Portability and Accountability Act, also known as the Privacy Rule.