

POLICY AND PROCEDURE

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Data-Sharing Agreements with Privacy Clauses

Partial Hospitalization Program (PHP)

Effective Date: 08/15/2025

Approved By: Director of Medical and Clinical Services

Review Schedule: Annually or as Needed

Applies To: All Programs — Outpatient MH/SUD, IOP, PHP, and Integrated Primary Care/Behavioral Health

Purpose

To establish standards for data-sharing agreements with external providers and partner agencies while protecting the privacy and confidentiality of individuals served. These agreements ensure that information sharing supports coordinated care while complying with applicable federal and state privacy regulations.

Policy

The Partial Hospitalization Program may enter into formal data-sharing agreements with external providers, healthcare organizations, and community partners to support coordinated care, continuity of treatment, and program operations.

All data-sharing activities must comply with privacy and confidentiality laws and organizational policies designed to protect the rights and personal health information of individuals served.

Applicable Privacy Regulations

All data sharing must comply with applicable laws and regulations including:

- Health Insurance Portability and Accountability Act (HIPAA)
- 42 CFR Part 2 when substance use information is involved
- Applicable state confidentiality laws
- Organizational confidentiality and privacy policies

Authorized Data Sharing

Information may only be shared when:

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- Written client authorization has been obtained when required
- The disclosure is permitted by law for treatment, payment, or healthcare operations
- A formal agreement exists between participating organizations when necessary

Required Elements of Data-Sharing Agreements

Formal data-sharing agreements with external partners should include:

- Identification of participating organizations
- Purpose of the data exchange
- Types of information that may be shared
- Privacy and confidentiality protections
- Security requirements for electronic and written data
- Limitations on redisclosure of information
- Procedures for reporting data breaches
- Duration and termination provisions of the agreement

Security and Safeguards

Organizations participating in data-sharing agreements must implement safeguards to protect confidential information, including:

- Secure electronic systems
- Password protection and access controls
- Secure transmission methods
- Staff training on confidentiality and data security

Client Rights

Individuals served have the right to:

- Be informed about how their information may be shared
- Provide or decline consent for information sharing when required

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- Revoke authorization for disclosure consistent with applicable laws

Documentation Requirements

Documentation related to data-sharing agreements must be maintained by the organization and may include:

- Signed agreements with external partners
- Authorization forms when applicable
- Records of information disclosed
- Documentation of any security incidents or breach reporting

Quality Monitoring

Data-sharing practices are periodically reviewed through compliance monitoring and quality assurance activities to ensure adherence to privacy standards and legal requirements.