



DALLAS CHILDREN'S ADVOCACY CENTER

Providing justice and restoring hope

HIPAA Overview

- As a Volunteer of DCAC, you must understand how the Health Insurance Portability and Accountability Act (HIPAA) impacts clients, employees and the agency. Federal standards authorize a fine and/or imprisonment of organizations and individuals for each offense of wrongful disclosure of protected health information (PHI).
- If you fail to protect privacy, the HIPAA regulations allow you and/or DCAC to be fined \$100 per violation, up to \$50,000 per person per year for each requirement or prohibition violated. Repeat and uncorrected violations can extend up to \$1.5 million in fines.
- Criminal penalties may also be imposed. You could pay up to \$250,000 in criminal fines and serve up to ten years in prison.



HIPAA – Privacy and Security

To understand your role with regard to HIPAA, you must first know what comprises protected health information (PHI) and the difference between privacy and security.

- **Privacy:** An individual's interest to protect his or her personal information from inappropriate access by others. State and federal laws, including the Privacy Rule adopted as part of HIPAA, outline the use and disclosure of client information.
- **Protected Health Information:** When information: 1.) is related to the health of or healthcare received by a person; and 2.) identifies a person or could be used to identify a person, it is considered protected health information (PHI)
- **Security:** Assures that privacy is maintained by preventing the accidental or intentional use of client health information by unauthorized users. The Security Rule as part of HIPAA sets standards for the security of electronic protected health information.

HIPAA – Patient Information

Remember: Patient information can be found in many places and communicated in many ways, including:

- Communications with family members
- Conversations with partners and co-workers
- Sign in sheets
- Communications through an interpreter

HIPAA - Access

DCAC is unique because it is sometimes difficult to determine who can access a client's PHI. In many cases, the person assigned as the legal guardian or representative for minor children can access the child's PHI.

State law may provide exceptions to this rule such as when a minor is considered emancipated or if there is "reasonable belief" that the parent or personal representative may be abusing the child (45 C.F.R. 502(g)(5)).

DCAC may also have discretion to provide or deny parental access to the minor's record if a licensed health care professional makes a decision that such access could endanger the child.



HIPAA – Disclosure Rules

DCAC may not use or disclose PHI except as permitted or required by HIPAA Privacy Rule. The HIPAA PHI disclosure rules affect your day-to-day activities within a client service setting including talking to clients, talking with co-workers, computer work and making phone calls.

When talking on the phone or in person, be sure the other person is allowed to receive the information. This is especially important to remember when taking phone calls. For example, a caller may pretend to be a family member to gain information that the client wishes to keep private. You must make sure the caller is really who he or she says they are before giving the caller information about the client. If at all possible, only limited information should be given over the phone.

HIPAA – Social Media

Potential Risk

Social Media

As DCAC Volunteers, your personal use of social media may pose unintended risks to client privacy and proprietary information, reputation and brands and can jeopardize the agency's compliance with business rules and laws. Some general rules to follow include:

- Do not post or tweet information about clients or their families. There is a risk that identification of the client or family may occur even if the post appears to be unidentified.
- Do not post children's art work or materials created by clients on social medial/public sites.
- Do not accept requests to become a "friend" with a client or family member.



HIPAA - Recap

- Everyone at DCAC is responsible for information security. Any person who does business with or on behalf of DCAC as an employee, contract employee, student or volunteer must:
 - Understand the reasons to maintain privacy and security of PHI and agree to abide by confidentiality policies and procedures.
 - Keep client information confidential at all times- including all forms of communication: electronic, written and verbal
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 - Report to your manager or information security leaders suspected or known violations of privacy and security.

Code of Ethical Conduct Overview

DCAC is committed to serving our clients, client families, employees, and the community in an ethical, legal, and responsible manner. DCAC provides the Code of Ethical Conduct as a resource for all staff (employees, contract labor, interns, and volunteers) who conduct business/operational activities on behalf of the Center.



Standards of Conduct

DCAC promotes six “Standards of Conduct” for conducting business and operational activities:

1. Quality of care
2. Protection and use of information, property and assets
3. Compliance with laws, regulations and ethical codes
4. Conflicts of interest
5. Working environment
6. Safety



1. Quality of Care

- *“The children come first in all that we do.”*

We are committed to providing quality care and resources. Our first responsibility is to our clients and their families.

We have a duty to maintain our integrity, ethics and quality.

We have a duty to address any deficiency or error.

We have a duty to employ properly trained and credentialed staff.

We have a duty to interpret and apply ethical guidelines to our work with staff, business associates, partners and clients.

2. Protection and Use of Information, DCAC Property and Assets

We are committed to protecting the property and information of DCAC against loss, theft, destruction and misuse.

Client Information:

We will honor the information of clients and limit client related disclosures only to those involved in their care and to other authorized parties.

We will protect clients from:

- agency related media involvement,
- and we will not solicit the use of:
 - client art,
 - pictures,
 - stories,
 - testimonials,
 - donations or
 - letters of gratitude.

Continued - Protection and Use of Information, Property and Assets

Agency Property:

We will respect agency property and work to protect agency resources.

We understand that:

- all equipment and supplies issued to Volunteers for use in carrying out their duties remain the property of DCAC.
- that Volunteers are expected to follow all rules with regard to the use of DCAC facilities, property and equipment.
- DCAC property and equipment may not be loaned to any individual or organization without the advance authorization of an Executive Team member.
- Volunteers are responsible for the property assigned to them and will be required to reimburse DCAC for the loss or damage of such property.

3. Compliance with Laws, Regulations and Ethical Codes

We are committed to high standards of business and professional ethics and integrity. We will provide client care and conduct business while following all applicable laws, regulations, ethical codes and policies.

If a violation occurs we will promptly report the concern to supervisory personnel.

All reported concerns will be acted upon in a fair and good faith manner.

Any retaliation or negative action against a Volunteer, who in good faith reports a suspected violation, will not be tolerated.

4. Conflicts of Interest

- *We are committed to acting in good faith in all aspects of our work. We will avoid conflicts of interest, or the appearance of conflicts, between the private interest of individuals and his or her official duties associated with DCAC.*

The most common forms of conflicts fit within the categories below:

- Outside activities/employment
- Dual roles
- Personal gain

Conflicts of Interest - Dual Roles

- Working in the social service industry is different than working in other industries. Social, familial, sexual, and business relationships with current or previous DCAC clients are prohibited.
- This means that current and previous clients should ***not*** be enlisted to serve as:
 - **speakers,**
 - **business partners,**
 - **volunteers, or**
 - **employees.**

5. Work Environment

- *We are committed to creating a working environment where everyone is treated with respect and fairness while being empowered to perform effectively.*

- We will:
 - Treat everyone with fairness, dignity and respect.
 - Strive to provide an environment free from harassment and intimidation.
 - Maintain open lines of communication and respect varying opinions.
 - Work as a seamless team.
 - Work with a servants heart in all that we do.
 - Maintain ethical boundaries with clients and their families while treating them with equality and respect.

6. Safety

We are committed to creating a hazard free environment for the health and safety of our clients, visitors, staff and partners.

□ We will:

- Report hazards promptly to your immediate supervisor or to the Director of Operations.
- Promptly notify appropriate personnel, complete a Critical Incident Form and submit it immediately when there is an injury to a staff member, partner or visitor.
- Take responsible precautions and follow safety regulations to promote a safe environment for clients, staff and partners.

Diversity and Inclusion Overview

What do you think of when you hear the words diversity or inclusion?

- **Diversity** means: distinct or different elements or qualities. Some say that diversity among people includes the things we have in common as well as the differences that make us unique.
- **Inclusion** means: the active, intentional, and ongoing engagement with diversity—in people, in services, and in communities. Engagement can include intellectual, social, cultural, or geographical dynamics. Inclusion may increase one's awareness, knowledge, cognitive sophistication, and empathic understanding of others.

Diversity and Inclusion

Why should you value diversity?

Environments that are respectful of all differences gain the following benefits:

- Work environments that are free from discriminatory practices.
- A workplace that attracts the best and the brightest – everyone wants to work there.
- More creativity due to different perspectives, leading to better problem solving and better ways to meet client, family and employee needs.
- Effective communication options with clients and their families that minimizes or eliminates miscommunication and ensures informed consent.

Diversity and Inclusion

How can one person make a difference?

- No one can know and understand all the ways we differ from one another. We can learn more about other cultures, but no one can know everything.
- You can do your best to:
 - Create an environment that is respectful of differences.
 - Be aware of your own feelings about differences.
 - Consistently use behaviors that communicate respect.
 - Get to know colleagues and peers.

Diversity and Inclusion

Ways to show you value and respect clients and their families:

- ❑ Asking each person how he or she is feeling, showing true concern.
- ❑ Involving the client and family in care decisions.
- ❑ Recognizing that families come in varieties.
- ❑ Maintaining confidentiality.
- ❑ Making sure you can communicate – get an interpreter to help with language and understanding of cultural practices and beliefs.
- ❑ Smiling and displaying overall positive body language.
- ❑ Warmly greeting each person as he or she enters our facility.
- ❑ Offering assistance.

Acknowledgement of Policy Manual

I acknowledge receiving and reading the policy manual for Volunteers of Dallas Children's Advocacy Center related to HIPAA, Diversity and Inclusion, and Code of Ethical Conduct.

As a Volunteer of DCAC, I understand that I am obligated to read this manual to familiarize myself with DCAC's expectations in regards to volunteering at the Center. Relatedly, I agree to abide by and adhere to all of these policies contained therein. If I do not understand any information in this manual, I agree to see clarification from my supervisor or the DCAC's Human Resources personnel.

Enter your full name to confirm the above. Once complete, email this form to volunteer@dcac.org.