

CHAPTER 7

CONFIDENTIALITY

CONFIDENTIALITY AND THE PUBLIC AUTHORITY

The County of San Diego IHSS Public Authority (PA) is a public agency that exercises public and essential governmental functions and has all powers necessary and convenient to carry out its required responsibilities for In-Home Supportive Services. (W&IC 12301.6)

Similar to Adult Protective Services (APS) and IHSS, the PA does not appear to fall under the regulations of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). The Public Authority is generally bound by the same State confidentiality regulations that govern both APS and IHSS.

Adult Protective Services

APS can share appropriate confidential information with the PA, without the consent of the client, via the Multidisciplinary Team (MDT). The purpose of sharing the information must be relevant to the prevention, identification or treatment of abuse to elder or dependent adults.

In-Home Supportive Services

IHSS can share appropriate confidential information with the PA, without the consent of the client, in order to administer and coordinate program related services.

“Third Party” Requests

The Public Authority is required to obtain a client’s written authorization before releasing any information about a client to a “third party”. (MPP 19-005.2)