

POLICY

It is the policy of the Michigan Department of Human Services (DHS) Bureau of Juvenile Justice (BJJ) that youth medical records are confidential and secure.

PURPOSE

This policy protects the privacy rights of youths in BJJ facilities.

DEFINITIONS

See JRG, JJ Residential Glossary.

**RESPONSIBLE
STAFF**

Designated in the facility standard operating procedure.

PROCEDURE

Each facility is required to develop and implement standard operating procedures (SOPs) relative to the confidentiality of medical records. At a minimum, these SOPs must contain the following requirements:

**Authorization
For Release**

The facility/center director authorizes the release of medical information after the youth (if 18 years of age or older), parent/legal guardian (if the youth is under 18 years of age) provides written authorization for the release of the youth's medical record.

Written authorization for the release of medical information is not needed when:

- A youth requests his/her medical record for review in the presence of staff.
- A copy of the medical record is sent to other DHS or contracted facilities for the continuity of medical treatment for the youth.

**HIV Records
and
Confidentiality**

With the exception of facility/center directors, records pertaining to HIV counseling and testing are confidential and may not be shared with non-health care staff.

HIV records are kept separate from the rest of the medical file.

Facility/center directors and health providers may share testing results with other health care providers in order to:

- Protect the health of an individual.
- Prevent further transmission of the disease.
- Assist in diagnosis and care for the patient.

AUTHORITY

DHS Administrative Handbook, AHN 1180

Public Health Act, MCL 333.5131(5)(g)

Social Welfare Act, MCL 400.1 et seq.