



Health Care Agency Behavioral Health Services Policies and Procedures	Section Name:	Information Management
	Sub Section:	Clinical Records Documentation
	Section Number:	05.01.08
	Policy Status:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised

	SIGNATURE	DATE APPROVED
Chief of Operations Behavioral Health Services	<u>Signature on File</u>	<u>3/8/16</u>

SUBJECT: Transport of Clinical Records

PURPOSE:

To document the procedure to ensure adherence to applicable laws and regulations set forth by Behavioral Health Services in order to ensure that Protected Health Information (PHI) and confidentiality of a consumer is not compromised in the transport of clinical records between locations.

POLICY:

All precautions shall be followed when any PHI is taken from one Health Care Agency/ Behavioral Health Services (HCA/BHS) county or contract operated clinic or program to another.

SCOPE:

This policy and procedure applies to all Orange County BHS county or contract clinics and their program staff or others designated to transport clinical records.

REFERENCES:

California Welfare and Institutions Code 5328

Title IX, California Code of Regulations, Section 1830.225

Code of Federal Regulations Title 42, Section 2.1 et. Seq.

Code of Federal Regulations Title 45, Section 164.502, 164.506, and 164.514 (d)(1), (b)(1)

PROCEDURES:

- I. PHI shall not be left in an unattended vehicle at any time.
- II. Clinical records shall only be transported from one location to another for the following reasons:
 - A. The consumer's treatment and care is being transferred from one county-operated BHS clinic to another county-operated BHS clinic.

- B. The consumer's clinical record is required for an administrative review or clinical case conference.
 - C. Clinical document(s) with PHI are needed to provide services in the field.
 - D. The consumer has been discharged from treatment for more than two years and the case is being sent for scanning.
- III. The following process shall be followed in the preparation and transport of clinical record(s):
- A. Transporting a single or multiple clinical records using Orange County Health Care Agency's PONY Mail system:
 - 1. Each clinical record shall be placed in an envelope clearly labeled "Confidential Patient Information: W&I Code Section 5328 and/or CFR 42, Part 2" and sealed.
 - 2. Each envelope shall then be placed inside a second PONY routing envelope and addressed using the facility/program's name and building number. The person and department name shall also be noted.
 - B. Tracking Document for Transporting Records: It is important to identify which records were taken out of the clinic.
 - 1. Create a document showing the record(s) being transported.
 - 2. Leave the original document showing the record(s) being transported with the Service Chief (SC) /Program Director (PD) at the clinic.
 - 3. Place a copy of the document showing the record(s) being transported in the envelope with the clinical record (only one document is needed if using multiple envelopes) or if transporting multiple records, in the locked compartment (see C2, below).
 - 4. Upon arrival at the destination, have receiving staff verify receipt of the clinical record(s) by signing the document listing the record(s). Then return that document to the originating clinic SC/PD.
 - 5. The document may be destroyed when the record(s) has (have) been returned to the clinic. If the record(s) is (are) not to be returned to the originating clinic, then after the disposition of the record(s) has (have) been noted in the originating clinic's tracking records, this document can be destroyed.
 - C. Transporting clinical records by vehicle for delivery purposes:

1. Prepare the clinical record as noted in III A1-A2 and III B1-B5. If there are multiple records being transported, then each record shall separately be prepared as noted in II A1 and II A2.
 2. Place clinical record(s) in a locked compartment, such as:
 - a) Locked container (e.g. locked carrier, banker's bag, etc.), plainly labeled on the outside "Confidential Patient Information: W&I Code Section 5328 and/or CFR 42 Part 2"; or
 - b) Locked trunk of a vehicle. If placed in the locked trunk of a vehicle, a separate locked container is not required.
 3. Staff shall transport the clinical record(s) directly to the designated facility or clinic/program.
- D. Transporting documents with clinical PHI for services in the field:
1. The document(s) shall be prepared as noted in III A1 and III A2.
 2. The documents shall be in the possession of the staff person the entire time out of the clinic.
 3. At no time should the clinical record or locked container be left in an unattended vehicle for an extended period of time.
 4. It is preferred that staff return the documents to the clinic on the same day they are taken out of the clinic.
 5. If the staff person will be keeping the records overnight at their residence and returning them to the clinic on a subsequent day, then
 - a) The SC/PD must give approval.
 - b) The PHI must be secured inside the residence so that no one other than the staff person can access it.