



**COUNTY OF YOLO**  
**HEALTH AND HUMAN SERVICES AGENCY**  


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**POLICIES AND PROCEDURES**

**SECTION 5, CHAPTER 4, POLICY 025**

**DATA EXCHANGE & RELEASE OF PROTECTED HEALTH INFORMATION**

<b>POLICY NUMBER:</b>	5-4-025
<b>SYSTEM OF CARE:</b>	BEHAVIORAL HEALTH
<b>FINALIZED DATE:</b>	01.10.2024
<b>EFFECTIVE:</b>	12.31.2023
<b>SUPERSEDES # :</b>	N/A

**A. PURPOSE:**

To establish Yolo County Mobile Crisis Team responsibilities to maintain confidentiality of members information during mobile crisis intervention services while also ensuring that all applicable County, State and Federal laws, rules and regulations pertaining to confidentiality are appropriately incorporated into Mobile crisis services.

**B. DEFINITIONS:**

1. **Health Insurance Portability and Accountability Act (HIPAA):** The HIPAA of 1996 is a federal law that required the creation of national standards to protect sensitive patient health information from being disclosed without the patients consent or knowledge. The US Department of Health and Human Services (HHS) issued the HIPAA Privacy Rule to implement the requirements of HIPAA. The HIPAA Security Rule protects a subset of information covered by the Privacy Rule.
2. **HIPAA Privacy Rule:** The Privacy Rule standards address the use and disclosure of individuals health information (known as protected health information or PHI) by entities subject to the Privacy Rule. These individuals and organizations are called “covered entities”.
3. **HIPAA Security Rule:** The HIPAA Security Rule protects a subset of information covered by the Privacy Rule. This subset is all individually identifiable health information a covered entity creates, received, maintains, or transmits in

electronic form. This information is called electronic protected health information or e-PHI. To comply with the HIPAA security Rule, all covered entities must:

- a. Ensure the confidentiality, integrity, and availability of all e-PHI
- b. Detect and safeguard against anticipated threats to the security of the information
- c. Protect against anticipated impermissible uses or disclosures that are allowed by the rule

**C. RELATED DOCUMENTS:** N/A

**D. POLICY:**

1. Mobile Crisis teams shall protect the privacy and confidentiality of their member's information in accordance with all applicable federal and state law as well as in specified in the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
2. Mobile Crisis teams shall ensure they understand and use current and relevant confidentiality laws, regulations, and guidelines regarding member's information as they apply to their job responsibilities and duties.

**E. PROCEDURE:**

1. Mobile crisis team staff shall review and become familiar with all Yolo County policies related to confidentiality, privacy, and security.
2. Privacy and Confidentiality
  - a. Mobile crisis teams will be subject to the privacy and security rules under HIPAA. While mobile crisis teams and Yolo County behavioral health delivery systems will often be able to exchange protected health information in compliance with HIPAA, Medi-Cal behavioral health delivery systems shall be aware of HIPAA requirements that may limit mobile crisis teams' ability to share such information, such as HIPAA's minimum necessary requirement.
3. Consent to Release PHI
  - a. There may be circumstances where mobile crisis teams are subject to the federal substance use disorder confidentiality regulation, 42 C.F.R. Part 2. Mobile crisis teams shall request members' consent when appropriate, however mobile crisis teams should not attempt to obtain member's consent while the member is in the midst of the crisis.

**F. REFERENCES:**

1. DHCS Information Notice 23-025: Medi-Cal Mobile Crisis Services Benefit Implementation
2. Cal. Civ. Code §§56 et seq. (The Confidentiality of Medical Information Act)
3. Department of Behavioral Health Medi-Cal Privacy and Security Agreement
4. Cal. Welfare & Institution Code §14100.2
5. Social Security Act, §1137 and §453
6. 45 C.F.R. §164 et al.
7. 42 C.F.R. Part 2
8. Health Insurance Accountability and Portability Act of 1996

**Approved by:**

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**Karleen Jakowski, Mental Health Director  
Yolo County Health and Human Services Agency**

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**Date**