

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

August 22, 2012

What's Inside:
Release of
Information to
Resource
Parents

M E M O R A N D U M

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS, AND CHILDREN'S DIVISION STAFF
FROM: CANDACE A. SHIVELY, DIRECTOR
SUBJECT: RELEASE OF INFORMATION TO RESOURCE PARENTS

DISCUSSION:

The purpose of this memorandum is to clarify Children's Division policy regarding information that may be shared with resource parents.

The Foster Parent Bill of Rights, [210.566.2\(2\) RSMo](#), provides for the licensed resource provider to have pertinent information regarding the foster youth currently placed in their home or the foster youth's family. This includes full disclosure of all medical, psychological, and psychiatric conditions of the child. The statute also allows foster parents to have access to any information regarding the child or the child's family including family history of mental or physical illness, sexual abuse perpetrated by the child, criminal background, fire-setting or other destructive behavior or any other information which is pertinent to the care and needs of the child and to protect the foster or adoptive family.

Licensed resource parents are members of the professional team, which includes the [Family Support Team](#), FST. Information is shared with the team members to assist in making decisions regarding safety, visitation, service and treatment needs, placement, and other case plan activities. Protected health information covered by the Health Insurance Portability and Accountability Act (HIPAA) may be provided to FST members to assist them in ensuring the child receives the proper care and treatment. Resource providers, as part of the FST, have access to all information shared with other FST members such as juvenile officers, Guardian-ad-Litem, and school personnel.

Court Orders and Court Reports

Per policy, the resource provider accepting a placement in their home will be provided a copy of the court order placing the foster youth in Children's Division Custody. The provider shall receive all subsequent court orders while the foster youth is placed in their home until the release of jurisdiction is signed by the judge. The resource provider may also have a copy of the court reports regarding the placement(s) in their home.

Other Protected Information

Section 191.656.1(e) RSMo, provides that HIV information about a family member may be released to the resource provider.

Release of Drug and Alcohol Information is more restrictive than HIPAA. To access information about Drug and Alcohol treatment, an authorization from the individual to disclose must be obtained or a court order specifying the release of this information must be made.

Sanctions

Resource parents who fail to comply with the privacy policies and procedures of HIPAA policy will be subject to civil and criminal sanctions and disciplinary actions up to and including revocation of license or approval as well as prosecution in a court of law. Disciplinary actions will become part of the resource parents licensing record.

Further questions regarding protected information should be submitted to the local privacy officer.

NECESSARY ACTION 1. Review this memorandum with all Children's Division staff. 2. All questions should be cleared through normal supervisory channels and directed to:	
PDS CONTACT Elizabeth Tattershall 573-522-1191 Elizabeth.Tattershall@dss.mo.gov	DEPUTY DIRECTOR Marta Halter 573-751-3171 Marta.Halter@dss.mo.gov
CHILD WELFARE MANUAL REVISIONS Selection of Placement Resource and Placement Options, Placement in a Resource Family, 4.5.1 Agency Arranged Relative or Kinship Care Due to the Children's Division Legal Custody, 4.12.3 Out-of-Home Placement Support Activities,4.6.1	
FORMS AND INSTRUCTIONS N/A	
REFERENCE DOCUMENTS AND RESOURCES Family Support Team, Section 4 Chapter 7 Subsection 2 Selections of Placement Resource and Placement Options, Matching the Child's Needs to the Placement, 4.4.5 Health Insurance Portability and Accountability Act (HIPAA), Section 5 Chapter 2 Subsection 7	
RELATED STATUTE 191.656(e) , Confidentiality of reports and records 210.150 , Confidentiality of Reports and Records, Exception - Violations, Penalty	

[210.566](#), Foster Parent Bill of Rights

RELATED FEDERAL REGULATION

[42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records](#)

ADMINISTRATIVE RULE

N/A

COUNCIL ON ACCREDITATION (COA) STANDARDS

N/A

CHILD AND FAMILY SERVICES REVIEW (CFSR)

N/A

PROTECTIVE FACTORS N/A

Parental Resilience

Social Connections

Knowledge of Parenting and Child Development

Concrete Support in Times of Need

Social and Emotional Competence of Children

FACES REQUIREMENTS

N/A