

# First 5 Commission of San Diego

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**Subject: Notification of Use of Client Information**

Policy Number: F5C-024

Effective Date: June 17, 2013

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***REFERENCE:***

*County of San Diego Health and Human Services Agency Policy HHSA-L6*

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**Purpose**

To establish a process to appropriately provide recipients of services funded through the First 5 Commission of San Diego with information about their privacy rights and the use of program data for evaluation.

**Background**

The First 5 Commission of San Diego (Commission) is committed to supporting programs that provide the best outcomes for children and families. The Commission requires program evaluation as part its efforts to measure and promote the effectiveness of programs, the efficient use of resources and public accountability. As part of evaluation activities, Commission programs report data about client services. The data are aggregated and do not identify any individual client. The purpose of this policy is to provide clients with adequate notice regarding the use of their information for program evaluation.

**Types of Notification for Use in Commission-Funded Programs**

There are two types of notification for Commission-funded programs.

1. Clients receiving Commission-funded services shall receive a Commission Notice of Privacy Practice (NPP) at the first opportunity.
2. Contractors may follow notification procedures required by their institution or required by funding requirements.

Commission contracts will identify which services require the Commission NPP.

Contractors engaged in activities co-funded by the First 5 Commission of California shall follow that agency's authorization process and requirements.

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**A. Procedures for Notices of Privacy Practices:**

**1. Recipients of the Notice**

Clients receiving Commission-funded services shall receive a Commission-authorized Notice of Privacy Practices that has been reviewed and approved by the County Privacy Officer. This applies to clients receiving services in programs where an NPP is required per contract obligations. This does not apply to programs jointly funded by First 5 California.

**2. Process for Providing the Notice**

The Contractor will provide the notice to the client no later than the first date of the first service delivery. A copy of the notice will be provided to all clients and may be provided electronically. The Contractor will distribute the notice to individuals with limited English proficiency in their primary language, or provide interpreter services if the notice is not available in the individual's language. The notice will be maintained as a separate document and will not be combined with any other document.

**B. Procedures for Projects Jointly Funded by the First 5 Commission of California:**

**1. Recipients of the Notice**

Clients receiving services funded in some portion by the First 5 California shall receive the authorization form required by that Commission.

**2. Process for Providing the Notice**

Contractors providing services funded in some portion by First 5 California shall follow that Commission's notification process.

**C. General Procedures for Client Notification**

These procedures shall apply to all cases where client notification is required.

**1. Obtaining an Acknowledgement of Receipt**

Except in the case of an emergency treatment situation, the Contractor will make a good faith effort to obtain written acknowledgement that the individual received the notice. If the individual refuses to sign the acknowledgement, Contractor staff will document the efforts taken and the reason why the acknowledgement was not obtained.

**2. Notification for Minors**

The notice of privacy practices will be provided to the parent or guardian of a minor.

**3. Revisions to the Notice of Privacy Practices**

The Commission will promptly revise and distribute its notice to active clients whenever there is a material change to the uses or disclosures, individual's rights, the Contractor's

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legal duties, or other privacy practices stated in the notice. The Commission will distribute the notice within sixty (60) days to all individuals then covered by the applicable plan.

**4. Retention of Documentation**

A copy of each version of the notice will be retained for seven (7) years by the Contractor. Signed and unsigned acknowledgements will be filed with the individual's record and will be retained in accordance with Contractor's policies for record retention.

Sunset Review            June 2016  
Originally Approved: June 7, 2010 (1)

Approved:

June 17, 2013

Date

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