

Big Bend Community Based Care Policy & Procedure

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| Series: | 900: Data Collection, Records and Reporting | |
| Policy Name: | Sharing Information with Children, Parents, and Legal Guardian | |
| Policy Number: | 904 | |
| Origination Date: | 03/09/2009 | Revised: Board Meeting of 12/13/2018 |
| Regulation: | 39.202, F.S. 65C-14.096, F.A.C. 65C-30.002, F.A.C. CFOP 175-37 | |

Policy

It is the policy of Big Bend Community Based Care, Inc. (BBCBC), to provide children access to information contained in their case record in an age appropriate manner in compliance with all applicable statutory requirements.

Procedure

A. Sharing Records with Children.

1. Children have a right to inspection of the official record (except adoption records), i.e., documents that were considered by the judge in reaching the court's determination. Children also have a right to copies of the official record.
2. All sharing of a file with a child will be framed with sensitivity and concern and with consideration of the child's chronological age and level of maturity.
3. It is recommended that record sharing occur during a face-to-face meeting between the child and an adult the child knows and trusts.
4. BBCBC and CMO staff will be careful not to let a child inspect or copy any confidential reports which are not a part of the official record.
5. Children may be referred back to the originating agency to receive those documents, as appropriate under that agency's policies.
6. The BBCBC or CMO employee that provides information to the child will document in the chronological notes the title of any documentation given to the child and any discussions regarding the information given to the child and the child's reaction to that information.

B. Parent and Legal Guardian Access.

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1. Prior to inspection, all exempt material will be secured from view.
2. Exempt from parent and legal guardian view, and thus removed from the case file prior to inspection, are:
 - a. Privileged communication between attorneys and BBCBC or CMO staff.
 - b. Investigation reports.
 - c. Third party reports from other service providers.
 - d. FDLE background reports.
 - e. Demographic information of all parties related to the case.
3. Parents and Legal Guardians can view their child's file, by appointment during business hours and under the direct supervision of the Case Manager, Case Manager Supervisor, CMO Program Manager, or CMO Program Director.

C. Legal Counsel.

1. If at any time, a question arises related to confidentiality issues or release of information, staff will contact their Supervisor.
2. If questions continue to exist, the matter will be sent to legal counsel for BBCBC for review and comment.
3. Legal counsel will also be consulted when special or unusual information is sought by other legal entities, investigating agencies, and/or other individuals.
4. BBCBC and/or CMOs will consult with appropriate legal counsel should an issue of liability arise.