

Explanation of Mandatory Reporting of Abuse, Neglect, or Exploitation

Harris County Domestic Violence Coordinating Council (HCDVCC) commits to maintaining our clients' right to privacy and confidentiality. There are circumstances, however, in which agency staff must by law disclose certain identifying client information. One circumstance would be if HCDVCC suspects the abuse, neglect, or exploitation of a child, a person who is elderly, or a person with a disability.

According to Section 261.101 of the Texas Family Code and Section 48.051 of the Human Resources Code, HCDVCC **staff must make a report to the Department of Family and Protective Services (DFPS) in the following situations:**

1. When there is reason to believe that a child has been abused, neglected, or exploited.
2. When there is reason to believe that an individual who is elderly or a person with a disability has been abused, neglected, or exploited.

Notice of Confidentiality Rights

At HCDVCC you have the following rights regarding the confidentiality of your personal information and communications with HCDVCC staff and volunteers:

- 1 HCDVCC **will be keep your information confidential to the greatest extent allowed by law.**
- 2 You may choose what information you want to provide to HCDVCC. **HCDVCC will not deny you access to services if you choose not to provide certain identifying information.**
- 3 As a client of HCDVCC, you have the **right to request and receive a copy of your records.** If you would like to do so, please work with your advocate to submit a request to the custodian of records at HCDVCC.
- 4 After your first appointment with HCDVCC, you may choose a referral to other (partner) agencies for additional help and support. Partner agencies include: Bay Area Turning Point, The Bridge Over Troubled Waters, Fort Bend Women's Center, Houston Area Women's Center, Daya, Northwest Assistance Ministries, Montgomery County Women's Center and the Montrose Center, . **You decide how much or how little of your personal information HCDVCC will or will not share with each partner agency.** An advocate will offer a general overview of each partner's obligations to keep your information confidential. If you choose to have HCDVCC share some of your personal information with a partner agency, an advocate will explain exactly *how* and *what* information will be shared. If you later decide that you do not want the information shared with any HCDVCC partners, let us know and we will not share any more information with those partners.
- 5 HCDVCC keeps client records, but limits the information it keeps to items needed to establish goals and advocacy, document the need for and delivery of services, protect the liability of the center and its employees, volunteers, and board members, as well as for statistical and funding needs. HCDVCC keeps these files for 5 years regardless of whether you exit voluntarily or if for some reason your services are terminated. HCDVCC limits access to files to staff working on your case. This includes advocates working with you, their immediate supervisor, and the Executive Director.
- 6 If you have any questions or concerns about this notice or your rights, or if you have a concern that your confidential information was not treated appropriately, please contact Nidia Cantu at ncantu@hcdvcc.org
- 7 HCDVCC will not share the information you provide including your name, address, phone number, and other information that could identify you with other individuals or agencies without your permission unless it falls under the following exceptions:
 - a. If you **sign an informed, written, reasonably time-limited written release** for HCDVCC to speak with someone outside of the agency, which can be revoked by you at any time.
 - b. **HCDVCC staff are required by law to report certain situations even if you don't give them permission to share or report the situations.** This includes reporting suspected child abuse, neglect or exploitation, and the abuse, neglect, or exploitation of the elderly or a person with a disability. In Texas, program staff reserve the right, but are not required, to alert outside people if there is an imminent threat to a client or others close to them. Staff and advocates will inform you of any reporting requirements prior to having conversations with you and will tell you when they must make a report and what information will be shared. Even when these reports are made, HCDVCC should not share information beyond what is required by law.

- c. If a properly issued court order is received a staff member will contact you. If you do not want the file released, HCDVCC's attorney will file a Motion to Quash. If the motion is not successful, HCDVCC will comply with the court order.
- d. HCDVCC staff are required by state law to report abusive, illegal, or sexually exploitative acts committed by other mental health service providers.
- e. HCDVCC must share some general information about the types of services provided and overall demographics (e.g., age and income ranges, average number of children, ethnicities) of people that use HCDVCC services with the agencies that fund HCDVCC like the Office of the Governor (OOG) and the Department of Housing and Urban Development (HUD) depending on which program you are being served by. However, **HCDVCC will never share information that specifically could identify you as someone who used their services unless specifically authorized in writing by you.**
- f. HCDVCC staff may share your information with other staff in order to assist with service provision.