

## **North Carolina Infant-Toddler Program Confidentiality Agreement**

The North Carolina Infant-Toddler Program has established confidentiality and privacy guidelines and requirements that agencies and providers participating in the program must follow. These privacy requirements adhere to federal and state legal requirements to ensure confidentiality and are described in the **North Carolina Infant-Toddler Program Manual**.

### **Acknowledgement:**

- I understand that I may only use and disclose individually identifiable client information as provided by and subject to all of the limitations and requirements specified in the **North Carolina Infant-Toddler Program Manual**, by the North Carolina Department of Health and Human Services, Division of Public Health, Women's and Children's Health Section, Early Intervention Branch.
- I understand that I may have direct or indirect access to confidential individually identifiable client information in the course of performing my work activities and I agree to protect the confidentiality of any individually identifiable client information to which I may have access.
- I shall adhere to all procedures that provide for minimizing the intentional and unintentional conveyance of individually identifiable information to unauthorized parties through written, electronic, or oral interactions.
- I must make all reasonable efforts to limit individually identifiable client information to that which is minimally necessary to accomplish the intended purpose for the use, disclosure, or request for information.
- I understand that there are state and federal laws and regulations that ensure the confidentiality of an individual's identifying client information and I agree to operate according to all applicable federal and state confidentiality laws and regulations. These laws include the Family Educational Rights and Privacy Act [FERPA], which is a federal law that protects the privacy of children and parents who receive services from the Children's Developmental Services Agencies, provider organizations, and other individuals providing early intervention services under agreements with these agencies. The law mandates that all individually identifiable client information maintained in early intervention records is kept confidential
- I understand that if I or my organization is determined to be a "covered entity" under the Health Insurance Portability and Accountability Act (HIPAA), CFR Parts 160 and 164, I will comply with the HIPAA privacy requirements for "non-education" records not excluded from the HIPAA Privacy Regulation as "education records covered by the Family Educational Rights and Privacy Act, as amended, U.S.C. 123g."
- I understand that intentionally divulging confidential information to unauthorized persons may make me subject to disciplinary actions, penalties, or sanctions as allowed under federal or state law. I also understand that intentionally misusing confidential information other than for its intended purpose may also subject me to disciplinary actions, penalties, or sanctions as allowed under federal or state law.

**I have read the above confidentiality agreement, understand its implications, and agree to abide by all applicable Infant-Toddler Program requirements related to confidentiality.**

Name: (print) \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Infant-Toddler Program Agency: \_\_\_\_\_

ID #:

## ***North Carolina Infant-Toddler Program Confidentiality Agreement***

- Purpose:** The purpose of this form is to document understanding of the confidentiality and privacy requirements of the Infant-Toddler Program and agreement to abide by such requirements by any party accessing a child's Infant-Toddler Program records.
- Instructions:** This form is to be completed by all CDSA agency staff and enrolled Infant-Toddler service providers. It must be completed before providing services to children enrolled in or in the process of enrolling in the Infant-Toddler Program. This form must also be completed by those persons authorized to conduct activities such as reviews, audits, accreditations, monitoring, and research, as well as by those individuals observing client specific Infant-Toddler Program activities, signifying their understanding of the confidentiality and privacy requirements of the Infant-Toddler Program and agreement to abide by such requirements. File completed form in the child's Infant-Toddler record as appropriate.
- Disposition:** Infant-Toddler Program records, including financial and automated information, must be maintained for a minimum of five years following the child's twenty-first birthday. Records must be archived in accordance with state requirements to ensure their preservation for the required length of time.