

## **Confidentiality and HIPAA**

All identifying information/production of documentation under this Agreement as required by law will be kept confidential. Subcontractor shall protect and maintain the privacy and confidentiality of information about individuals learned while providing services and performing the duties required by this Agreement. All information about any individual, whether a child, family member, or member of the household in which the child resides, whether obtained from any other source or created by Subcontractor or Boys and Girls Home, is subject to any applicable provisions pertaining to access and disclosure in the HIPAA Privacy Regulations. Subcontractor shall grant or limit access to, and protect against or make disclosure of, such information in compliance with the HIPAA Privacy Regulations.

Information obtained by Subcontractor from Boys and Girls Home may not be disclosed without the prior written consent of an authorized representative from Boys and Girls Home. Boys and Girls Home and Subcontractor will exchange any information with each other which is necessary for either of them to perform this Agreement, for Boys and Girls Home to perform its contract, to provide information requested of either party by the Department, or to provide information necessary for any audit or investigation requested of either party by the Department or the U.S. Department of Health and Human Services.

Subcontractor may not use, release, or disclose any photographs, slides, images, or other identifying information of a child or family members in advertising, press or other media releases, newsletters, or recruiting documents without the written consents of both the Department and the person who is the subject of the identifying information or a person authorized to act on the subject's behalf.

As the lead agency, Boys and Girls Home will uphold all confidentiality and HIPAA laws on all client information that is shared from Subcontractor. Similarly, it is expected that the Subcontractor follow the same confidentiality standards and HIPAA laws.