

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF JUVENILE JUSTICE SERVICES  
POLICY AND PROCEDURES

Policy No: 07-04	Effective Date: 12/01/04	Revision Date: 10-23-15
Subject: Medical and Dental Records		

**I. Policy Statement**

Division facilities/programs and contracted health care providers shall maintain complete, accurate and current medical and dental records regarding all juveniles in the Division's custody and shall ensure that those records are maintained with appropriate privacy in accordance with HIPAA and GRAMA requirements. Records regarding juveniles in the custody of the Division are the property of the Division in accordance with Utah Code 62A-7-108.5.

**II. Rationale**

The Division has a responsibility to provide for the physical welfare and well-being of juveniles in Division care, and to safeguard the privacy of medical and dental records of such juveniles.

**III. Definitions**

- A. "HIPAA" is the federal Health Insurance Portability and Accountability Act, which protects the privacy of patients in a healthcare setting and prevents the disclosure of personal information of patients other than what is necessary, or in some cases, only in emergency settings.
- B. "GRAMA" is the Utah state Government Records Access and Management Act, in the Utah Code beginning with Title 63G-2, which establishes rules for the handling of records retained by the Division, including rules regarding any release of such records to the public.

**IV. Procedures**

- A. The Division shall maintain a medical record and file that is separate from the "program file" regarding each juvenile who receives services from the Division.
- B. The medical or dental personnel, or staff who perform the services, shall document all health and dental care services a juvenile receives while in the Division's care.
- C. Records shall include any forms, documents or documentation which are required by the facility/program and any forms which are:
  - 1. federal requirements for Title IV-E, and Medicaid Enhancement for a juvenile in the Division's care, custody, and control;

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2. history of medical services received, either inside or outside of the program, while in care;
3. history of pharmaceuticals and medications received or refused while in care;
4. medical or dental records;
5. health-related screening forms.


**D. Confidentiality**

1. All medical and dental records maintained by the Division regarding a juvenile in its care shall be confidential and secure and safeguarded from use by unauthorized personnel.
2. Staff shall adhere to the GRAMA guidelines regarding the release (to the public) of any medical records or information. Staff shall refer all requests for medical information to the designated GRAMA compliance coordinator who will then release records if/when it is appropriate and in accordance with GRAMA guidelines.
3. Staff shall have access to those necessary records, which would accompany a juvenile transferring to a Contracted program or other Division program.
4. Medical and dental records shall be added to the permanent file the Division maintains regarding that juvenile, prior to transferring that file to the State Records Center.


**V. Continuous Renewal**

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Board of Juvenile Justice Services and is approved upon the signature of the Director.

  
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Russell K. Van Vleet, Chair  
Board of Juvenile Justice Services

10-23-15  
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Signature Date

  
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Susan V. Burke, Director  
Division of Juvenile Justice Services

10-23-15  
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Signature Date