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| UTAH DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF JUVENILE JUSTICE AND YOUTH SERVICES POLICY AND PROCEDURES | | |
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| MEDICAL AND DENTAL RECORDS | | |
| <p>RATIONALE: JJYS has a responsibility to provide for the physical welfare and well-being of minors in JJYS care and to safeguard the privacy of health care records of such minors.</p> <p><i>Related Policies, Applicable Standards, Statutes: Health Insurance Portability and Accountability Act (HIPAA); Utah Code §80-5-206; §63G-2 (GRAMA), §80-5-206</i></p> | | |
| Original Effective: December 1, 2004 | Revision: February 4, 2025 | Next Review Due: February 5, 2028 |

I. DESCRIPTION

Juvenile Justice and Youth Services (JJYS) facilities, programs, and contracted health care providers shall maintain complete, accurate and current health care records for minors in JJYS custody and shall ensure that those records are maintained with appropriate privacy in accordance with HIPAA and GRAMA requirements. Records regarding minors in the custody of JJYS are the property of JJYS (Utah Code §80-5-206).

II. DEFINITIONS

The following terms are defined for this policy as:

- A. **HIPAA:** The federal Health Insurance Portability and Accountability Act, which protects the privacy of patients in a health care 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:** 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 JJYS, including rules regarding any release of such records to the public.
- C. **Health Care:** Includes medical, dental, pharmacy, and mental health services.

III. POLICY

- A. Records include forms, documents, or documentation which are required by the facility or program and any forms which are:

1. Federally required for Title IV-E and Medicaid Enhancement for a minor in JJYS care, custody, and control;
2. A history of health care services received by the minor, either inside or outside of the program, while in the custody of JJYS;
3. A history of health care refused while in care;
4. Health care records; and
5. Health care related screening forms.

IV. PROCEDURES

- A. JJYS shall maintain a health care record and file that is separate from the "program file" regarding each minor who receives services from JJYS.
- B. Health care personnel and staff who perform the services shall document all health care services a minor receives while in JJYS care.
- C. Confidentiality
 1. All health care records maintained by JJYS regarding a minor in its care shall be confidential, secure, and safeguarded from access by unauthorized personnel.
 2. Staff shall adhere to the GRAMA and HIPAA guidelines regarding the release (to the public) of any health care records or information. Staff shall refer all requests for health care information to the designated GRAMA compliance coordinator who will then release records in accordance with GRAMA guidelines.
 3. Staff shall have access to those necessary records which would accompany a minor transferring to a contracted program or other JJYS program.

This policy shall be reviewed every three 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 Division of Juvenile Justice and Youth Services Executive Management Team and is approved upon the signature of the director.



Brett Peterson, Director
Division of Juvenile Justice and Youth Services

02/04/2025

Signature Date