

Chapter: Health Records and Confidentiality	Effective Date: 3/1/15
Title: Health Record and Confidentiality Issues	Page: 1 of 1
ACA: 4-JCF-4C-31 (M), 4-JCF-4D-08	Replaces: 6/1/09

(a) **Standard.**

All youth health records and information about a youth's health status, including mental health, are confidential and access is limited to healthcare providers and approved staff with a legitimate need to know. The active health record is maintained separately from the confinement case record. The Texas Juvenile Justice Department (TJJD) controls access to the health record in accordance with state and federal law.

(b) **General Provisions.**

- (1) University of Texas Medical Branch – Correctional Managed Care (UTMB) and TJJD employees with access to the electronic medical record (EMR) are trained and comply with Health Insurance Portability and Accountability Act (HIPAA) rules and regulations.
- (2) All medical records and the Intake Unit's digital dental x-rays are stored in the EMR indefinitely.
- (3) Dental Bite Wing x-rays and non-digital x-rays are stored in locked file cabinets and/or behind locked doors.

Note: Access to medical and mental health records is provided in accordance with GAP.380.9909.

- (4) Medical records other than immunization records and results of vision and hearing tests are not released to parties not a part of, or not contracting with, TJJD or UTMB, unless proper consent is obtained.
 - (5) Requests for inactive medical records and/or for active medical records other than for the purpose of promoting continuity of care are forwarded to the TJJD Records Department in accordance with [GAP.385.8101](#).
 - (6) Medical records are provided to the TJJD Office of the Inspector General and/or to the TJJD Office of the Independent Ombudsman as requested to further official investigations. All such records must be marked "confidential."
 - (7) All hard copy medical records that have been scanned and stored electronically are destroyed in accordance with HIPAA regulations, using a TJJD-contracted vendor.
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