



# Oregon

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## Guidance Memo

**Date:** February 9, 2009

**To:** School-Based Health Center Contacts

**From:** Janet Matthews, MS, FNP, WHNP  
School-Based Health Center Program Manager

**Re:** Sharing Health Information in the School Setting

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Establishing School-Based Health Center (SBHC) release of information (ROI) policies in the school setting can be an arduous and confusing process due to the limits set by both federal and state privacy statutes.

[This memo will describe one policy option](#) currently available to SBHC staff that authorizes mutual use and disclosure of Health Information (see attachment #1, DHS Authorization for Use & Disclosure of Information with accompanying instructions) and can be applied to sharing health information in the school setting.

A ROI Policy using this DHS form may be used on an individual student basis or in a standardized manner as part of the SBHC registration process to facilitate specific health information exchange between the school and the SBHC. A common request for mutual exchange between SBHCs and schools involves information regarding immunizations and allergies. Section B of the DHS form documents specifically what shared health information is requested and if mutual exchange of health information is authorized. This ROI Policy requires the appropriate written consent on each student whether it is used individually or as a routine part of SBHC registration.

Any SBHC ROI Policy should also consider attachment #2, the 12/3/08 Oregon Department of Justice (DOJ) document detailing the relationship between both federal privacy statutes, HIPAA (Health Insurance Portability and Accountability Act, defined Pg 3), and FERPA, (Family Educational Rights and Privacy Act, defined Pg 4), within the Oregon school setting. In addition, SBHC staff should be familiar with the HIPAA exceptions (defined, Pg 8, attachment #2) that would permit you to release information without written authorization due to a public health or emergency safety consideration.

The SBHC State Program Office strongly recommends the use of HIPAA-compliant release forms along with careful review of the 12/3/08 DOJ document before any local policy decisions about sharing health information are considered. In addition, as federal and state privacy statutes continue to be debated and many issues remain untested in a court of law, best practice requires that any ROI policy be reviewed by appropriate legal counsel.

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