

**County of San Diego, Health and Human Services Agency (HHSA)
County Medical Services (CMS) Program Guide**

Inspection of Case Records

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03.04

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Background

This section provides information and procedures for persons authorized to inspect case records.

Policy:

A: Authorized Person

Authorized persons requesting review, as well as those authorized to actually make the inspection, must agree to the review procedures listed below before being allowed access to the case record.

The following procedures apply to the review of a case record:

Step	Action
1	The complete case record will be copied and made available for inspection, <u>except</u> for privileged communications as noted below and information not provided solely by or authorized by the applicant/beneficiary. Such information must <u>not</u> be copied from the case record.
2	Case inspection will be permitted only during normal working hours.
3	A private room may be made available for reviewing documents.
4	The reviewers will not be permitted to remove, alter, photocopy or photograph anything in the case record. Reviewers will be permitted to make notes on what they see in the case record.
5	Requests to review a closed case should be directed to ACCESS 1-866-262-9881 or pubassist.HHSA@sdcounty.ca.gov
6	The worker will record in the case narrative all requests for inspection of case records.

B: Information Which May Not Be Released to the Applicant/Beneficiary

Privileged Communication

Some communications contained in case records are not subject to review by the applicant/beneficiary or his/her authorized representative. Additionally, there are communications that are not subject to review by an applicant's/beneficiary's authorized representative without specific written consent of the applicant/beneficiary.

Since case narratives may make reference to privileged information or information provided by third parties, and is the work product of the worker (not provided solely by the applicant/beneficiary), they must not be copied and removed from the case prior to its inspection.

Physicians/Patient (Medical Personnel/Patient)

Confidential communication from a physician cannot be disclosed to the authorized representative without specific written consent of the patient. Some physicians may request a report not be released to the patient. In such cases, the physician's consent to release the report must be obtained.

DHCS Investigation/PAFD Reports

All reports, summaries, and other confidential communications/information obtained by DHCS Investigations/PAFD in the process of investigating an alleged fraud will be removed from the case record prior to its inspection by an applicant/beneficiary or an authorized representative.

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Identity of Informer

Workers will not disclose the identity of an informer to the applicant/beneficiary or his/her authorized representative. Questions in this regard should be referred to their Manager.

Husband/Wife

Confidential communication between husband and wife during their marital relationship cannot be disclosed unless both agree to its disclosure, even if the marriage has terminated.

Other Program Impact:

None

Reference(s):

None

Sunset Date:

This policy will be reviewed for continuance by 05/31/2019

Release Date:

05/03/2016