



# County of San Diego

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HEALTH AND HUMAN SERVICES AGENCY

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POLINSKY CHILDREN'S CENTER  
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858-616-5816

November 18, 2013

## CHILD WELFARE SERVICES SPECIAL NOTICE # 18-13

TO: All Social Work Staff  
Child Welfare Services

FROM: Debra Zanders-Willis, Director  
Child Welfare Services

## HEALTH ASSESMENT / RELEASE OF INFORMATION ORDER AND USE OF 04-24 FORMS

**Purpose** This Special Notice provides staff with information regarding the updated "Order Authorizing Health Assessments, Routine Health Care, And Release Of Information" and the use of 04-24 (and/or 04-29) forms.

*New policy is in italics and effective immediately.*

**Supervisors will review this Special Notice with staff.**

**Background** Historically, all CWS clients (parents or the court) signed the "Authorization for Medical Care" forms:

- Consent for Treatment (04-24) and
- Authorization to Use or Disclose Protected Health Information (04-24A)

The law (W&IC sections 305, 306, 324.5, 369, 361.2(e), 5328.04, and Civil Code 52.10 et. seq.) already authorizes CWS to provide routine healthcare/dental care to foster youth without a signed consent form. The law also already provides for information sharing with CWS agencies.

Some service providers have difficulty gathering the necessary forms to serve our children in a timely fashion. The updated "Order Authorizing Health Assessments, Routine Health Care, And Release Of Information" (from here on referenced as "the order") will assist with this as the order will suffice for all children in the custody of CWS. See attachment.

*continued*

**Policy**

The 04-24 and 04-29 forms will only be used in ER referrals and VS cases. Policy remains unchanged. See PG [Medical Treatment/Medical Releases](#).

*Once a child is taken into CWS protective custody, the order will be the document that serves to allow for routine healthcare/dental care and information sharing. The order is not made for each child, but is a blanket order that applies to all children in CWS custody. This means a child taken into custody (e.g. at Polinsky/Way Station home, etc.) pending dependency jurisdiction and throughout the Juvenile Court case (as long as CWS has custody/jurisdiction).*

*The order applies to all current dependents as well.*

*There is no need to keep a copy of the order in each child's case file.*

*When a service provider (including medical/dental and mental health) requests a consent to treat or an authorization to share information, the SW will send a copy of the order to the provider. The order is available under the "Health Services" in the Resource Guide, click [here](#), "Order – Consent and Authorization."*

*For families receiving CWS Services, if an Optum / TERM provider requires additional authorization to release a psychological evaluation to CWS a separate order will be used. It is available under the "Mental Health Services" section of the Resource Guide: [Order – Release Psych Evals](#)*

*In referrals/cases (ER and VS) where the 04-24 or 04-29s are still used, SW will import the signed form into CWS/CMS and give it the title "04-24 - Consent and Authorization" (scanning both the 04-24 and the 04-24A into one document) or "04-29 – Authorization to Disclose Info." SW must scan and import the document(s) within 15 days of obtaining signature. When an ER referral or VS case closes, the authorizations signed by the parent(s) expire.*

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**Affected  
Program  
Guide File**

There are numerous PG files impacted by this Special Notice but the following PG files are primarily impacted and will be updated in the future:

- [Medical Treatment/Medical Releases](#)
- [Confidentiality - General](#)

The court forms (04-24C and 04-24AC) will be made obsolete and updated language will be issued on the parent forms (04-24P and 04-24AP). All prior versions of these forms shall be destroyed.

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**Contact**            Staff with questions or comments about this Special Notice should contact Leah van Lingen, CWS Policy Analyst, at 616-5942/858 or at [Leah.vanlingen@sdcounty.ca.gov](mailto:Leah.vanlingen@sdcounty.ca.gov)

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*Original signed by Debra Zanders-Willis*

DEBRA ZANDERS-WILLIS, Director  
Child Welfare Services

DZW/lvl

Attachments:    Order Authorizing Health Assessments, Routine Health Care, and Release of Information  
                         Order Authorizing Optum to Disclose Therapy Treatment Plans and Evaluations

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF SAN DIEGO**

IN THE MATTER OF:  
MEDICAL CARE FOR CHILDREN IN  
THE CUSTODY OF HEALTH AND  
HUMAN SERVICES AGENCY,  
COUNTY OF SAN DIEGO, AND  
RELEASE OF INFORMATION  
RELATED THERETO

**ORDER AUTHORIZING  
HEALTH ASSESSMENTS,  
ROUTINE HEALTH CARE AND  
RELEASE OF INFORMATION**

Pursuant to Welfare and Institutions Code sections 305, 306, 324.5, 369, 361.2(e), and 5328.04, and Civil Code sections 56.10 *et seq.*, in situations where a child is in the custody of the Health and Human Services Agency ("HHS") of the County of San Diego, THE COURT HEREBY ORDERS:

1. HHS may obtain a comprehensive health assessment as recommended by the American Academy of Pediatrics, including a mental status evaluation, for a child prior to the detention hearing in order to ensure the health, safety and well-being of the child. The assessment may include one or more of the following, as is necessary and appropriate to meet the child's needs:

- a. A medical history which is as complete as possible.
- b. A physical examination by a licensed medical practitioner.
- c. A developmental evaluation.
- d. A mental health status evaluation by a licensed mental health

1                   clinician.

2                   e.     Emergency dental care by a licensed dentist.

3                   f.     Clinical laboratory tests or x-rays as deemed necessary by the  
4                   examining physician or dentist for evaluation of the child's health  
5                   status.


6                   2.     Before dependency proceedings have been initiated and during the course of  
7 those proceedings, HHSA may obtain ongoing routine health care (including  
8 immunizations and routine dental care), as recommended by the American Academy of  
9 Pediatrics, and mental health evaluations, counseling and treatment for a child in the  
10 custody of the HHSA, as is necessary to protect and promote the child's physical and  
11 emotional well-being.

12                  3.     Information concerning any health care provided pursuant to this order may  
13 be released to the HHSA, the child's attorney (if any), other health care providers,  
14 Regional Centers, or schools if needed for treatment, treatment planning, counseling,  
15 and/or educational purposes consistent with promoting the child's physical and emotional  
16 well-being, before or after the detention hearing, and throughout the course of the  
17 dependency proceedings.

18                  This order is not intended to include the release of any confidential privileged  
19 information for dependent minors, but does include court ordered psychological  
20 evaluations, initial treatment plans (ITPs) and treatment plan updates (TPUs) requested  
21 by HHSA.

22                  This order supersedes the similar order dated June 13, 2013, and shall expire four  
23 (4) years after the date of issuance, unless superseded or rescinded by subsequent order or  
24 rule of Court.

25 DATED: 11/15/13

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28 CAROLYN M. CAIETTI  
PRESIDING JUDGE OF THE  
SAN DIEGO JUVENILE COURT



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**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN DIEGO**

IN THE MATTER OF:

CHILDREN AND FAMILIES RECEIVING SERVICES  
FROM THE HEALTH AND HUMAN SERVICES  
AGENCY, COUNTY OF SAN DIEGO; DISCLOSURE OF  
THERAPY TREATMENT PLANS AND  
PSYCHOLOGICAL/PSYCHIATRIC EVALUATIONS  
BETWEEN OPTUM AND CHILD WELFARE SERVICES  
REPRESENTATIVES

**ORDER AUTHORIZING  
OPTUM TO DISCLOSE  
THERAPY TREATMENT  
PLANS AND EVALUATIONS  
OF CHILDREN, PARENTS  
AND GUARDIANS  
RECEIVING SERVICES  
FROM HHSA TO HHSA CWS  
REPRESENTATIVES**

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Pursuant to Superior Court of California, County of San Diego Rules of Court: Division 6-Juvenile: Chapter 6, Rule 6.6.1, any information kept in Health and Human Services Agency (HHSA) files regarding a child and/or family receiving services from HHSA is confidential, not subject to disclosure unless authorized by the Court. State and federal law including but not limited to the Health Insurance Portability and Accountability Act ("HIPAA") and Welfare and Institutions Code section 5328 govern the confidentiality of psychiatric information. There are circumstances, however, where it is necessary to share information regarding the treatment and services the child and/or family including parents and guardians are receiving in order to better provide services to the child and/or family. This information includes therapy treatment plans and psychological and psychiatric evaluations that have been submitted by treatment evaluation resources management ("TERM") providers to Optum, the County of San Diego's ("County") administrative services organization ("ASO") for behavioral health services. Optum is responsible for reviewing treatment plans and evaluations of HHSA child welfare services

1 clients for quality, consistency of treatment goals, appropriateness of therapeutic interventions  
2 and progress toward discharge, as applicable.

3 THEREFORE, THE COURT HEREBY ORDERS:

4 1. Optum may disclose and/or provide treatment plans and psychiatric and  
5 psychological evaluations of HHSA child welfare services clients that have been reviewed for  
6 quality, consistency of treatment goals, appropriateness of therapeutic interventions and progress  
7 toward discharge, as applicable, to the HHSA child welfare services representative. These  
8 treatment plans and evaluations of HHSA child welfare services clients shall be provided to the  
9 appropriate HHSA child welfare services representative so that they may better provide services  
10 to the child and/or family. Child welfare services clients include children, parents and guardians  
11 receiving services form HHSA Child Welfare Services.

12 2. This order shall only apply to cases where a parent or the court has authorized or  
13 ordered, as applicable, the treatment provider to treat or conduct a psychiatric evaluation of  
14 youth and/or parents under the jurisdiction of the juvenile court and to disclose the evaluation  
15 and /or treatment update to the HHSA child welfare services representative.

16 3. This order shall expire four (4) years after the date of issuance unless superseded  
17 or rescinded by subsequent order or rule of court.

18 IT IS SO ORDERED.

19 DATED: 7/10/12

  
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21 JUDGE OF THE SUPERIOR COURT  
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