

## Valley Medical Group, P.C. Clinical Policy and Procedure

**Title: Managing Privacy for Mature Minors (Teen Confidentiality)**

**Purpose:** To provide a workflow for providers and staff to ensure minors aged 12-17 years old receive privacy relating to confidential information regarding pregnancy, birth control, sexually transmitted disease, drug use and addiction treatment.

**Policy:** The Mature Minor rules in Massachusetts allows minors aged 12-17 years old privacy relating to confidential information regarding pregnancy, birth control, sexually transmitted disease, drug use and addiction treatment. VMG has created a number of workflows to ensure we are complying.

- Providers will typically excuse parents or guardians from all or part of the visit for patients aged 12-17 years old.
- VMG does not print patient care summaries for parents of patients aged 12-17 years old.
- Access to the Patient Portal is restricted for parents of patients aged 13-17 years old (The EMR does not allow patients under the age of 13 years old to have access to their Patient Portal, citing the Children's Online Privacy Protection Act. This Act restricts websites from collecting personal information from children under the age of 13 years old).
- In rare situations, VMG may decide that we have no choice but to break confidentiality. This will only be when we think someone is in imminent danger of severe harm and the only way for us to protect him or her is to break confidentiality. The person in danger might be the adolescent, or it might be somebody else. In either case, if we are going to break confidentiality we will make every effort to tell the teenager before we do so, and look for alternative solutions.

### **Procedure for Patient Portal restriction:**

1. When a child turns 13, they will receive a mailed letter explaining the new restriction and inviting them to sign up for their Patient Portal directly. At the same time, parents will receive an email explaining this change and their access will be more restricted.
2. Young patients with serious or severe intellectual disabilities may require ongoing parental oversight. Parents of such children can request an Exemption. The request will be sent to the child's PCP for an assessment, "Does this child require ongoing parental oversight?" If the PCP agrees, full parental access to the Patient Portal will be restored and an alert "Parent Exception" will be placed in the yellow Alert Box in Athena. If the PCP is not in agreement, no exception will be made. In either case, the parent will be notified. This process will be managed by the Portal Support Staff Member at VMG, with the requests sent as patient cases in the EMR. The parent has the right to appeal this decision by sending a letter to the Medical Director.
3. Parents who request information not deemed confidential, as listed above, will be accommodated by the clinical staff or Health Information (depending on the volume of information requested). As per the parent's wishes, information can be sent via mail, email or left at the front desk for pick-up. VMG will restrict the use of Medcopy for record releases to parents of patients who are 12-17 years

old. These requests will be reviewed by HI staff to determine if the requested chart documents contain confidential information, and either proceed with providing redacted copies to parents, or in the case of no confidential information, sent back to Mediacopy to release information.

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