



State of California—Health and Human Services Agency
California Department of Public Health



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Director & State Health Officer

EDMUND G. BROWN JR.
Governor

OFFICE OF AIDS (OA)
 AIDS Drug Assistance Program (ADAP)

Management Memorandum
 Memorandum Number: 2016-14

Date: July 11, 2016
 TO: ADAP ENROLLMENT WORKERS AND COORDINATORS
 SUBJECT: NEW ADAP ENROLLMENT WORKER TRAINING

The purpose of this memo is to inform ADAP enrollment workers that starting in July 2016, ADAP staff will begin conducting new enrollment worker trainings. Training will be held online via WebEx; date and time are as follows:

DATE:	TIME:
July 27, 2016	9:00 am – 1:00 pm
August 10, 2016	9:00 am – 1:00 pm
October 12, 2016	9:00 am – 1:00 pm
December 14, 2016	9:00 am – 1:00 pm
February 8, 2017	9:00 am – 1:00 pm
April 12, 2017	9:00 am – 1:00 pm
June 14, 2017	9:00 am – 1:00 pm

Individuals working at a certified ADAP enrollment site can request training to be a certified ADAP enrollment worker. A complete New Enrollment Worker Training Request Form (attached) and Oath of Confidentiality Form must be submitted to your ADAP Advisor a minimum of 7 days prior to the requested training date. Once the form is approved by ADAP, the individual requesting training will receive registration information.

Please note that individuals requesting training will not be able to access the ADAP enrollment system or view ADAP data until they have completed the new enrollment worker training, and submitted a completed Oath of Confidentiality Form to ADAP.

Please contact your ADAP Advisor if you have any questions regarding new ADAP enrollment worker training. The most current “ADAP Advisor Assignments by LHJ” list is available on the OA website at:

<http://www.cdph.ca.gov/programs/aids/Documents/ADAPStaffLHJAssignments.pdf>

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Unzueta". The signature is written in a cursive, flowing style.

Chris Unzueta, Chief
ADAP Unit
Office of AIDS

Attachments

CDPH Use Only:

Completed Training Verification Date

ADAP Advisor Verifying Training

Date Sent to AJ Boggs

Agreement by Employee/Contractor to Comply with Confidentiality Requirements

Summary of Statutes Pertaining to Confidential Public Health Records and Penalties for Disclosure

All HIV/AIDS case reports and any information collected or maintained in the course of surveillance-related activities that may directly or indirectly identify an individual are considered *confidential public health record(s)* under California Health and Safety Code (HSC), Section 121035(c) and must be handled with the utmost confidentiality. Furthermore, HSC §121025(a) prohibits the disclosure of HIV/AIDS-related public health records that contain any personally identifying information to any third party, unless authorized by law for public health purposes, or by the written consent of the individual identified in the record or his/her guardian/conservator. Except as permitted by law, any person who negligently discloses information contained in a confidential public health record to a third party is subject to a civil penalty of up to \$5,000 plus court costs, as provided in HSC §121025(e)(1). Any person who willfully or maliciously discloses the content of a public health record, except as authorized by law, is subject to a civil penalty of \$5,000-\$25,000 plus court costs as provided by HSC §121025(e)(2). Any willful, malicious, or negligent disclosure of information contained in a public health record in violation of state law that results in economic, bodily, or psychological harm to the person named in the record is a misdemeanor, punishable by imprisonment for a period of up to one year and/or a fine of up to \$25,000 plus court costs (HSC §121025(e)(3)). Any person who is guilty of a confidentiality infringement of the foregoing type may be sued by the injured party and shall be personally liable for all actual damages incurred for economic, bodily, or psychological harm as a result of the breach (HSC §121025(e)(4)). Each disclosure in violation of California law is a separate, actionable offense (HSC §121025(e)(5)).

Because an assurance of case confidentiality is the foremost concern of the California Department of Public Health, Office of AIDS (CDPH/OA), any actual or potential breach of confidentiality shall be immediately reported. In the event of any suspected breach, staff shall immediately notify the director or supervisor of the local health department's HIV/AIDS surveillance unit who in turn shall notify the CDPH/OA Surveillance Section Chief or designee. CDPH/OA, in conjunction with the local health department and the local health officer shall promptly investigate the suspected breach. Any evidence of an actual breach shall be reported to the law enforcement agency that has jurisdiction.

Employee Confidentiality Pledge

I recognize that in carrying out my assigned duties, I may obtain access to private information about persons diagnosed with HIV or AIDS that was provided under an assurance of confidentiality. I understand that I am prohibited from disclosing or otherwise releasing any personally identifying information, either directly or indirectly, about any individual named in any HIV/AIDS confidential public health record. Should I be responsible for any breach of confidentiality, I understand that civil and/or criminal penalties may be brought against me. I acknowledge that my responsibility to ensure the privacy of protected health information contained in any electronic records, paper documents, or verbal communications to which I may gain access shall not expire, even after my employment or affiliation with the Department has terminated.

By my signature, I acknowledge that I have read, understand, and agree to comply with the terms and conditions above.

Employee name (print)

Employee Signature

Date

Supervisor name (print)

Supervisor Signature

Date

Name of Employer

PLEASE RETAIN A COPY OF THIS DOCUMENT FOR YOUR RECORDS.