

NOTICE TO FOSTER PARENTS REGARDING CONFIDENTIALITY OF RECORDS

“Foster parents and other persons in the foster home who have access to confidential information about the foster child and his/her family may not discuss or otherwise disclose that information to anyone while the child is in the foster home or after the child leaves the foster home, except: (a) to the licensing agency or the agency placing the child in the home; (b) by order of the juvenile court; or (c) as provided by law”.

The above statement is from the Wisconsin Administrative Code, Ch. HSS 56, which governs the licensing of foster homes for children. Most of the information provided to you regarding the foster children in your care is confidential and its release is strictly limited by state and federal law. The confidentiality of the information included in juvenile law enforcement and court records is governed by s. 48.396 and s. 938.396, Stats. The confidentiality of human services record information, including the "Referral for Substitute Care" form, a copy of which has been provided to you, is governed by s. 48.78 and 938.78, Stats. Section 48.981(7), Stats., restricts the release of information from child abuse and neglect investigative reports. A child's mental health and AODA treatment records are confidential pursuant to ss. 51.30, Stats., the Wisconsin Administrative Code Ch. 92 and 42 Code of Federal Regulations (C.F.R.), Part 2. The confidentiality of pupil records is required by s. 118.125, Stats., as well as 34 C.F.R. Part 99. Health care records are confidential pursuant to s. 146.82, Stats., as are records regarding HIV test results s. 252.15, Stats and information regarding test results or treatment for a sexually transmitted disease s. 252.11, Stats. Test results regarding the presence of controlled substances in a newborn are confidential pursuant to s. 146.025, Stats. The release of information regarding a child's receipt of family planning services is restricted by s. 253.07, Stats., and information regarding abortion services is strictly confidential under s. 48.375(7) Stats.

The penalties for the unauthorized dissemination of information from a child's confidential records range from a fine of not more than \$10,000.00 to imprisonment for not more than 9 months.

All records maintained by foster parents which contain confidential information regarding foster children must be kept in a locked drawer or cabinet.

By signing below, I/we as licensed foster parent(s) acknowledge that I/we have read this document and understand my/our responsibilities to maintain the confidentiality of the information provided to me/us regarding the foster child(ren) in my/our care. I/We also acknowledge that I/we have been provided a copy of this document.

SIGNATURE - Foster Parent

Date Signed

SIGNATURE - Foster Parent

Date Signed

SIGNATURE - Agency Worker

Date Signed

NOTE: Three copies should be made and signed for foster parents, social worker, and licensing worker.