Authorization Forms - Guidelines

Introduction:

We recently reviewed the Waiver currently available within the CMS program and with input from the Legal Department at THQ, created new forms to replace the Waiver.
There is a Privacy Notice and Consent Form, for which the client will consent for the collection, storage, use and sharing of their household's personal information.
The second is an Authorization Form, which a C&FS worker might use if the client requires their personal information to be referred to another organization or agency on their behalf or if we need to receive personal information from another agency in order to assist the client. These two forms replace the Waiver currently in CMS.

<u>The Privacy Notice and Consent Form</u> (updated once a year)

The consent form should be seen as part of the early stage in the Intake process.
When a client is making an application for assistance at C&FS, the first thing a worker must establish is a sense of trust and safety for the client. Part of this process is to request the client's consent to record, save, use and share their household's personal information. The client needs to have a sense that their personal information will be secure and is important to our organization.

What is the purpose of a consent form?

- A consent form itself is not the consent.
- A conversation with the client (person who is seeking assistance) is the key feature of the consent process.

The purpose of consent form is to give the client the information he or she needs to make an informed choice, regarding if they wish to provide their personal information collected, stored, used and shared, without pressure from the intake worker.
The consent form itself confirms that the individual was informed, decided and consented to the process.

3 Key elements of Consent

1. Voluntary:

- Clients must be free to consent to or refuse the collection of their personal information and how it may be used.
- Consent should be obtained without pressure or intimidation.
- A client has a right to refuse.

2. Capacity:

A client is considered to have the capacity to consent if he or she understands:

- the process of the collection and use of their personal information
- how their personal information will be used and to whom it will be disclosed
- the outcomes of refusing their consent.

3. Informed/ Understanding:

- The worker has taken reasonable steps to be assured the client has understood the consent discussion. (Language used must be at a grade 6-8 comprehension level)
- Workers are expected to answer clients' questions as honestly and completely as they can. (if they are not able to then the worker must refer to someone who can)
- Documents will be made available in the clients' language of preference, if requested, to ensure the clients' rights are met.

Steps to ensure Informed Consent

Privacy Notice and Consent Forms are available in CMS; you can download or print off copies to have on hand.

1. When receiving an application for assistance, before entering any information into CMS, ask the client if they are willing to provide their household's personal information.

2. If the client responds 'yes', then provide and review with them the Consent form, reading through the document slowly and making sure they feel free to ask questions; as well ensure you pause after each paragraph to ensure they understand, before moving on.

3. Once you have reviewed the Consent form, ask if the client has any questions or concerns. Be sure to address any questions or concerns before asking for their signed consent.

4. Ask the client to indicate they are providing consent on behalf of all members of their household, by checking the box stating this. Then have them sign and date the Consent form, you then sign as the witness.

Witness of Signature:

In witnessing a signature, the witness simply confirms the identity of the individual who signed the document. The witness's role has no other legal significance

Follow all policies on retaining documents

If Consent is refused:

There may be the very few instances that a client declines to provide their consent. As stated earlier, the first thing a worker must establish is a sense of trust and safety for the client. This process must be voluntary and a client has the right to refuse. This must not be seen as a negative disruption to our 'routine', but an opportunity to understand and further demonstrate our support.

First clarify with the client about their concerns regarding providing their consent; they may have a misunderstanding, had negative experiences or be given poor secondhand information. In the past

If the client still declines or refuses to provide their consent then the worker needs to be very supportive, understanding and respectful of the client's decision.

The worker then needs to clarify the outcomes of this decision. There could be two possible responses which we will overview here. The worker could provide full assistance without assessment or the worker could provide partial assistance with clarification).

We are recommending that workers respond with an informed and limited response.

That is to say that the worker will provide assistance in a limited form to the client and their household informing the client that without their personal household's information, the worker is unable to assess and determine eligibility for full assistance today. That the client is always welcome to come back (outlining your MU's policy on when client's may return for further assistance) and that if in the future the client does feel they can provide their consent, that the worker would be happy to work with them and reassess their household at that time.

This is an opportunity to provide dignity and minister to this individual, take the opportunity to really give hope today.

The Privacy Notice and Consent form (with refusal option) are available in CMS, download or print off copies to have on hand.

Have the client indicate their refusal by checking the appropriate box.

Witness of Signature:
In witnessing a signature, the witness simply confirms the identity of the individual who signed the document, as you will have checked the client's ID at the time of intake.

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The Authorization Form

If a during the Intake process the client requests or the worker determines that another service or agency would be needed to be contacted for referral and the client's personal information is to be shared as part of the referral, then the worker needs to obtain authorization from the client for their information to be shared with another organization.
The authorization form outlines the original contact (TSA MU and worker), the referral agency's information (including worker), what information may be shared for a specific purpose and for how long the authorization form is valid for.

What is the purpose of an authorization form?
The authorization form is a formal document that outlines that a client has given their authorization for their personal information to be shared between two organizations for a specific time period.
It also protects the client, as well as protects the two agencies. Without this document, there can be no communication of the client's personal information.
It also sets out a time limit on how long this can occur. If the time period expires and there needs to be further communications, then the client must complete another authorization form with new dates.

Steps to follow
Forms are available in CMS, download or print off copies to have on hand.
There are two versions of the form, one for The Salvation Army to receive information and the other for The Salvation Army to provide information. Fill in the form as instructed.
Inform the client as you would for Informed Consent about how this document will be used and stored.
Explain to the client about the time frame and allow them to determine what they feel is appropriate, with further details on the process for needing to extend the dates if required.
Once you have reviewed the completed authorization form, ask if the client has any questions or concerns. Be sure to address any questions or concerns before forwarding this to the other service or agency.
The form can then be sent to the other organization.
Call and confirm it has been received by the appropriate worker.
Then document this authorization in the client's CMS household case notes.
Witness of Signature:
In witnessing a signature, the witness simply confirms the identity of the individual who signed the document.

If at any time the client determines they wish this authorization form to be canceled during the active time period, they must do so by notifying C&FS worker in person, with proper identification in hand. This can be done verbally.
The worker then in the presence of the client will need to contact the other service or agency, speak directly with the other worker and inform them of the client's request.

Communication of the client’s personal information between the two organizations cease from this point.

If at a future time the client wishes for this process to be reinstated, they would need to fill in another authorization form.

The C&FS worker documents this update into the client’s CMS household case notes.

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